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# Burma Round Table Conference

27th November, 1931—12th January, 1932

## PROCEEDINGS

*Presented by the Secretary of State for India to Parliament by Command of His Majesty.*  
January, 1932

### LONDON:

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# BURMA ROUND TABLE CONFERENCE.

## INTRODUCTORY NOTE.

1. The Burma Round Table Conference was inaugurated by His Royal Highness the Prince of Wales, at a public session in the King's Robing Room in the House of Lords on 27th November, 1931.

At the conclusion of the inaugural session a small Business Committee was appointed to advise on the conduct of business.

2. After the opening ceremony, the Conference decided, on the advice of the Business Committee, to proceed to a general discussion in Plenary Session on the question of the future Constitution for Burma. In a speech opening the debate, the Chairman reminded the Delegates that the primary task of the Conference, as indicated in the announcement of His Majesty's Government of the 20th August, 1931, was "to discuss the lines of a Constitution for a separated Burma," and laid emphasis on the point, that in carrying out this task, the Conference must proceed on the hypothesis that Burma is to be separated from India. The Chairman stated further, however, that during the general discussion he would place a liberal interpretation on the subject placed before the Conference and would not rule out reference to the question whether Burma should or should not be separated from India : but he reminded the Committee that the announcement of 20th August, 1931, offered an opportunity for review of the whole position after the Conference had concluded its deliberations.

The speeches delivered during the general discussion, which lasted for two days, are contained in pages 18 to 105.

3. On the conclusion of the general discussion the Conference resolved itself into a Committee of the Whole and proceeded to deliberate upon the outlines of a Constitution for a Burma separated from India under the following Heads of Discussion which the Chairman submitted, together with connected memoranda forming material for discussion :—

- (1) The Second Chamber.
- (2) Method of Election to the Second Chamber and Qualifications of Voters and Candidates.
- (3) The Constitution of the Lower Chamber.
- (4) The Franchise for the Lower Chamber.
- (5) Relations between the two Chambers.
- (6) Excluded Areas.
- (7) Defence.
- (8) The Services.
- (9) The High Court.
- (10) Finance.
- (11) The Ministers.
- (12) The Governor.

4. Before proceeding to discuss the structure of the Legislature, the Committee found it convenient to take up, first of all, and apart from the consideration of Head 6 (Excluded Areas), the question of the position to be occupied by the Federated Shan States, as it was evident that the decision reached on this question would affect the composition of the new Legislature.

5. During the early stages of the proceedings of the Committee, certain Delegates pressed for an indication of the intentions of His Majesty's Government as guidance for their consideration of the matters under discussion. In response to these requests the Chairman and Lord Lothian (Parliamentary Under-Secretary of State for India), while deprecating any attempt to prejudge the issue of the Conference and while making it clear that they were not in a position to make any authoritative statement, expressed their belief that the Committee should assume that the Constitution for Burma in the event of separation, would, generally, conform to the principles underlying the Prime Minister's statement on 1st December, 1931, to the Indian Round Table Conference.

6. The Committee of the Whole Conference was able to pursue its deliberations without having recourse to the appointment of sub-committees. It should be noted, however, that an informal sub-Committee to deal with the question of the representation of Minorities in the Lower Chamber was formed privately from amongst the Delegates, but failed to arrive at any agreement.

7. The Conference met again in Plenary Session on 8th January, 1932, and during a final debate reviewing the whole work of the Conference, unanimously adopted the resolution printed on page 140 accepting the Report of the Committee of the Whole Conference.

8. The Final Plenary Session of the Conference was held on 12th January, 1932, when the Prime Minister, in a closing speech, read a declaration on behalf of His Majesty's Government. The full proceedings of this session are contained on pages 174 to 186.

9. As stated above, the opening session was held in public. Representatives of the Press and a number of distinguished visitors were also admitted to the final session of the Conference, during which the declaration of His Majesty's Government was made. In accordance with the proposals of the Business Committee neither Press nor public were admitted to other sessions, but information as to the proceedings was given to the Press by the Publicity Officers of the Conference.

10. A Supplementary Volume, containing the Proceedings in the Committee of the Whole Conference, will be made available in due course.

# BURMA ROUND TABLE CONFERENCE.

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## LIST OF DELEGATES.

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### BRITISH DELEGATION.

\*THE RIGHT HON. THE EARL PEEL, G.C.S.I., G.B.E.  
 THE RIGHT HON. SIR SAMUEL HOARE, BT., G.B.E., C.M.G., M.P.  
 THE MOST HON. THE MARQUESS OF LOTHIAN, C.H.  
 MR. ISAAC FOOT, M.P.  
 MR. G. H. HALL, M.P.  
 THE VISCOUNT MERSEY, C.M.G., C.B.E.  
 MAJOR D. GRAHAM POLE.  
 MR. J. S. WARDLAW-MILNE, M.P.  
 THE RIGHT HON. THE EARL WINTERTON, M.P.

### BURMA DELEGATION.

THE SAWBWA OF HSIPAW.  
 THE SAWBWA OF YAUNGHWE.  
 SRA SHWE BA, T.P.S.  
 MR. CHARLES HASWELL CAMPAGNAC, M.B.E.  
 MR. N. M. COWASJEE.  
 MR. M. M. OHN GHINE.  
 SIR OSCAR DE GLANVILLE, C.I.E., O.B.E.  
 U TUN AUNG GYAW.  
 U MAUNG GYEE.  
 MR. SARABHAI NEMCHAND HAJI.  
 MR. KENNETH BRAND HARPER.  
 U CHIT HLAING.  
 MR. ROBERT BLACK HOWISON.  
 DR. THEIN MAUNG.  
 U THARRAWADDY MAUNG MAUNG.  
 MR. SYDNEY LOO-NEE.  
 U NI.  
 MISS MAY OUNG.  
 U BA PE.  
 THARRAWADDY U PU.  
 MR. HOE KIM SEING.  
 U BA SI.  
 U SU.  
 U AUNG THIN, K.S.M.

---

\* Elected Chairman of the Conference at Plenary Session on 27th November, 1931.

ADVISERS TO THE SHAN STATES' DELEGATES.

THE SAWBWA OF NORTH HSENWI.

THE KYEMMONG OF KENGTUNG.

ATTENDING ON BEHALF OF THE GOVERNMENT OF INDIA.

MR. J. A. WOODHEAD, C.I.E., I.C.S.

ATTENDING ON BEHALF OF THE GOVERNMENT OF BURMA.

SIR SAMUEL SMYTH, K.C.I.E., C.S.I.

MR. T. LISTER, I.C.S.

SECRETARY TO THE BRITISH DELEGATION.

MR. G. GRAHAM DIXON.

CONFERENCE SECRETARIAT.

*Secretary.*

MR. D. T. MONTEATH, C.V.O., O.B.E.

*Assistant Secretary.*

MR. W. B. GOODCHILD.

*Publicity Officers.*

MR. HUGH MACGREGOR.

MR. A. H. JOYCE.

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## BURMA ROUND TABLE CONFERENCE.

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### Opening Speeches, 27th November, 1931.

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#### SPEECH DELIVERED BY H.R.H. THE PRINCE OF WALES.

I have come here to welcome in the name of His Majesty the King-Emperor to the capital city of the Empire, Chiefs of the Shan States and other Delegates from Burma, and to inaugurate this Conference with the Representatives of His Government and of the Parties which compose the Parliament now in session

The deep interest which His Majesty the King-Emperor takes in the welfare of all His subjects in Burma is enlivened by His recollections of the visit which, in company with Her Majesty the Queen, He paid to that country twenty-six years ago. I too have my own memories of Burma, which make my task to-day much more for me than a mere formality. It has been my lot to travel widely in the world, both east and west ; and among the many countries that I have visited I shall always retain the most pleasant memories of Burma—its romantic scenery, its great river, its hills and forests, its wonderful pagodas, and, above all, the friendliness of its people. I have not forgotten, and I shall not forget, the warm-hearted welcome they gave me ten years ago.

Since last century, Burma has been linked in a single administrative system with its sister-provinces of British India ; and it was as part of British India that Burma sent its representatives to take part in the first Session of the Indian Round Table Conference last year. It was their opinion, as expressed in the Burma sub-Committee of that Conference, that the changes now contemplated for India afforded an opportunity of separating the Government of Burma from that of India ; and it was accordingly decided by His Majesty's Government to convene this Burma Round Table Conference to examine further the constitutional implications of this far-reaching recommendation.

It used to be said that the East is slow to change ; but that saying is no longer true. Nowhere does history record a political transformation at once so radical and so swift as that which has occurred in Burma within the space of my own lifetime. Twenty years ago there were no “politics” in Burma or in the modern sense of the word, no real representative institutions, no parties, no political press. But now, for some time past, the elected

representatives of the people of Burma have constituted the great majority of its Legislature and shared the responsibility for a large part of its administration. And to-day they have come here to discuss around one table, with the representatives of the political parties of this country, the lines of further constitutional advance and to seek agreement thereon for the guidance of Parliament. Those whose duty it is to build up a new framework of government or to adapt an old one to new conditions, must be wise and careful architects, remembering that their building will have at once to bear the strains and stresses of a very difficult and restless phase of human history. A sense of common purpose, a capacity for patient and trustful collaboration in order to achieve that purpose, a readiness to recognise the honesty of other men's opinions, a determination to do justice to all reasonable claims—those, surely, are the qualities that command success in such an enterprise as yours.

I spoke just now of the warm-heartedness of Burma. Britain is warm-hearted too ; and towards the people of Burma and their honourable desire to shoulder in increasing measure the burden of political responsibility, the British people feel nothing but good will. And no one will watch your proceedings with deeper sympathy or closer attention than His Majesty the King-Emperor. It is his earnest prayer that this Conference may be enabled under Providence to open the way to a new era of contentment and well-being for all his people in Burma, and to confirm and strengthen their friendly and fruitful relations with their fellow-subjects throughout His Empire. In His name and my own, I wish you " God-speed " for your labours.

*After His Royal Highness had left the Robing Room and after the Company had resumed their seats, MR. RAMSAY MACDONALD said :—I take the Chair temporarily, but seize the opportunity that gives me to wish the very best success for your labours, and to express the hope that when you go home you will go home very satisfied that the British Government means to do fairly by Burma and help the Burmese people to advance their own self-respect through political means.*

I have to call upon U Chit Hlaing to move a Resolution regarding the Chairman.

#### U CHIT HLAING.

The gracious speech which we have been privileged to hear from the lips of His Royal Highness has brought our Conference into being, and I now have the honour to propose that Lord Peel should be appointed as Chairman of the Conference to preside over our deliberations.

### **THARRAWADDY U PU.**

Mr. Prime Minister, I have great pleasure in seconding the proposal of U Chit Hlaing.

*Mr. Ramsay MacDonald*: I put that Resolution to you. Those in favour of Lord Peel being elected? On the contrary? That is unanimously resolved.

(*The Chair was then taken by Lord Peel.*)

### **SPEECH DELIVERED BY LORD PEEL.**

Mr. Prime Minister, my Lords, Ladies and Gentlemen, I am deeply sensible of the honour which you, my fellow-Delegates, have done me in electing me to preside over a Conference fraught with such significance for the future constitutional progress of Burma. I am no less conscious of the weighty responsibility which has been placed upon my shoulders; but I shall bend to that burden with a will, sustained by so many pleasant memories, barely two years old, of the country and of the people whose future destiny it may be our privilege to mould in the course of our deliberations.

The Conference has now been brought into active life by the gracious speech of His Royal Highness the Prince of Wales and I am sure it is the wish of you all that our first act in Conference should be to tender to him our grateful appreciation of the signal honour which he has conferred on us by inaugurating our proceedings. We shall derive inspiration from his presence at this, our first meeting, and we shall set ourselves to the task which lies before us, encouraged by the sympathetic words of His Royal Highness and by the gracious message which he has conveyed to us from His Majesty the King-Emperor. As your Chairman I propose, with your approval, to submit to His Royal Highness an expression of our great gratitude to himself for the honour he has bestowed on us; and I propose also to lay before His Majesty an expression of our loyal devotion and our heartfelt appreciation of His gracious permission to hold our inaugural proceedings in this noble chamber in the Palace of Westminster, and to conduct our further deliberations in His Royal Palace of St. James. From such historic surroundings we shall draw fresh inspiration for our labours.

Our task, may I remind you, is to seek the greatest possible measure of agreement on the various matters, many of much complexity, with which we shall have to deal. This is not the time to set out the difficulties which confront us; it is enough to say that in Burma as in other countries which have had to frame a constitution there are majority communities and minorities, differences of interest and of degree of political development; it is for us to seek how those differences, which happily are less acute in Burma

than elsewhere, may be accommodated and how legitimate interests may be protected so that the whole country may make progress in peace and amity towards the common goal. This search cannot be conducted successfully save in the spirit of mutual confidence and fellowship ; and it is a coincidence surely of happy augury that, facing me as I stand here, there hangs a painting which represents a legendary king of this country welcoming a new entrant to the fellowship of the Round Table.

In the name of His Majesty's Government I welcome Mr. Ohn Ghine, Sir Oscar de Glanville, U Ba Pe and U Aung Thin, who were with us last year, as Burma's representatives in the Indian Conference. To the newcomers too I should wish to give a greeting ; to the Delegates of the Shan States and the Karens, to the Indian and to the European representatives, and in particular to Miss May Oung, who will grace our meetings as representative of the Women's Associations of Burma.

Our Conference is composed of representatives of all political parties in this country and of representatives of the political parties and particular interests in Burma ; let us all pull together in the endeavour to set on our joint labours the seal of achievement.

#### **SPEECH DELIVERED BY THE SAWBWA OF HSIPAW.**

My Lord, it is difficult to express the very real sense of gratitude we feel towards His Royal Highness the Prince of Wales for consenting to open this Burma Round Table Conference, and our loyal pleasure at the privilege of listening to His Royal Highness's inspiring and gracious speech.

We, who come as representatives of the Federated Shan States, wish to express to His Majesty's Government our appreciation for the opportunity of attending this Conference, and to state that we come here in a spirit of friendship and goodwill to co-operate with all those who will be meeting together to discuss these problems which so nearly affect the welfare of our countries and their peoples. In this I feel sure that I am voicing the wish of my brother Delegates from Burma also.

We trust that this Conference will be guided to come to decisions on various aspirations that will enure to the benefit not only of our own peoples, but also the combined good of that great Empire to which we have the honour to belong.

In conclusion, the Delegates of the Federated Shan States, speaking not only for themselves, but for all their brother Chiefs, desire to express their absolute loyalty and devotion to the Throne and the person of His Majesty the King-Emperor, whose gracious example has led us to the knowledge that we can with confidence look towards the Crown for guidance and for justice.

### **SPEECH DELIVERED BY MISS MAY OUNG.**

My Lord, on behalf of the women of Burma, whose representative I have the honour to be, I beg you to convey to His Gracious Majesty the King-Emperor our thanks for deputing His Royal Highness, the Prince of Wales, to open the Burma Conference this day.

His Royal Highness has already made, in some degree, the acquaintance of the people of Burma, and his visit to our country is a happy recollection. As has occurred everywhere on his extensive travels, his personality there too dispelled doubts and inspired among all a confidence that they could look to the Crown for understanding and affection. Burma is far away, and has had little chance of frequent contact with the Royal Family but, by his speech to-day, His Royal Highness has reassured us of his regard, and we can now enter upon the labours of this Conference with a sure hope that we are well started on the way towards that time when Burma, mistress of her own affairs, will look to the Crown as the direct link that binds her to the other members of the British Commonwealth.

That His Royal Highness has been gracious enough to find time among his pressing engagements to speak to us this morning, is deeply appreciated, and we would like to assure him that if he knew how much his coming has pleased us and our countrymen at home, he would not count his time ill-spent. I trust, My Lord, that you will lay these words before His Royal Highness.

### **SPEECH DELIVERED BY MR. HOE KIM SEING.**

My Lord, the gracious words of His Royal Highness the Prince of Wales and the inspiring message of His Majesty the King-Emperor have touched us deeply. We join in expressing our gratitude to His Royal Highness for having honoured Burma by his presence today.

Burma is a country containing many races and diverse interests, but for loyalty and affection for His Majesty the King-Emperor it yields pride of place to no other part of the Empire.

We look back to the memorable visit of Their Majesties to Burma twenty-six years ago, a visit which deeply impressed the people of Burma, and for the first time brought them into personal contact with the heir to the Crown and brought home to them that Burma was dear to the heart of its future King-Emperor. We all remember with loyal and kindly feeling the visit of His Royal Highness the Prince of Wales in 1921, when his personality and sportsmanship enshrined him in the hearts of the sport-loving people of Burma.

The Conference which has been inaugurated to-day is one of momentous importance to Burma and its future. We tender our grateful thanks to His Majesty's Government for convening it.

We hope that the full and free discussion of the desires and aspirations of Burma that will take place will clear away misunderstanding and lead to a constitutional advance acceptable to all, a constitution which will lead to the political and material progress of Burma as a constituent part of the Empire.

The presence of His Royal Highness today and the encouragement of His Majesty the King-Emperor cannot fail to aid our efforts and to conduce to the success of the Conference.

### SPEECH DELIVERED BY U NI.

My Lord, may I at the very outset emphasise this act of kindness and sympathy on the part of His Majesty in approving of His Royal Highness the Prince of Wales to open this Burma Round Table Conference. Certainly this is a momentous event, an outstanding landmark in the history of the relationship between the two countries, Great Britain and Burma, and it is gratifying that His Royal Highness the Prince of Wales has been able, at so short a notice, to find time amidst his many engagements to inaugurate this opening ceremony. I am, therefore, sure that we all agree in full measure that you should convey our grateful acknowledgments to His Majesty the King-Emperor and to His Royal Highness the Prince of Wales, assuring them that, amidst all the divergent views and differences of opinion as to what devices and institutions should be set up to enable each of us to manage our own affairs, our willing homage and reverence to the Crown stands eminently high above all. The Crown is the fountain of justice, equality and freedom among all the various peoples of the Commonwealth forming the British Empire, which includes Burma. Our loyalty to the Crown therefore enjoins us to uphold these ideals, and we should be failing in our duty to the Crown if we knowingly tolerated, anywhere under the British flag, conditions that hamper the growth of justice, freedom and equality. We should be bold and candid enough to place all the facts before each other, but we must have moderation, forbearance and readiness to appreciate each other's views as well. With the rebellion and various other abnormal conditions in our country, the atmosphere before we met might be cloudy and unsettled, but we are here to clarify the same with the best of our intentions and the best of our hearts. Through all the clouds of misunderstanding and prejudice, the three statements of policy made with the indisputable authority of His Majesty's Government shine forth with all their brilliance. One was made on 31st October, 1929, to the effect that it was implicit in the declaration of August, 1917, that the natural issue of constitutional progress of India, including Burma, is the attainment of Dominion Status. The other was made in July, 1930, and promised the enjoyment of as large a degree of management of our affairs as could be shown to be compatible with the necessity of making provision for those matters in regard to which we may not yet be

in a position to assume responsibility ; and the third was made on the 19th January, 1931, by the Premier in the Plenary Session of the Indian Round Table Conference to the effect that responsibility for the Government in future would be placed upon local legislatures, with certain safeguards and with temporary arrangements to meet certain special conditions during the period of transition. We in Burma have attached to these declarations of His Majesty's Government the same importance as you do here ; and have interpreted them to mean one, and only one thing, and that is the establishment of full responsible self-government in Burma. We are all here to translate them into concrete proposals as courageously and liberally as is compatible with our loyalty to the King and with the welfare and good of the Commonwealth.

#### **SPEECH DELIVERED BY MR. S. LOO-NEE.**

My Lord, in the sectional rendering of humble and grateful thanks to His Royal Highness this morning in this august House, I, as one of the representatives of the Karens of Burma invited to serve on the Burma Round Table Conference, have the honour to give a loyal and dutiful expression of our gratitude for the dual function which His Royal Highness has this morning graciously performed—the Opening of the Burma Round Table Conference and the gracious Speech with which this historic Conference is opened.

Opened, as the Burma Round Table Conference is assuredly opened, by the Ambassador of the British Empire whose ambassadorial mission to our Mother Country, Burma, still inspires loyal sentiments, these gracious acts of His Royal Highness this morning are *per se* a splendid augury for the success of the Burma Round Table Conference.

Finally, in again thanking His Royal Highness for graciously inaugurating the proceedings of the Burma Round Table Conference, we beg to tender our loyal and dutiful thanks to His Majesty the King-Emperor for having been graciously pleased to sanction the use of the King's Robing Room in the House of Lords for the Opening of the Burma Round Table Conference by His Royal Highness the Prince of Wales on this memorable day.

#### **SPEECH DELIVERED BY THARRAWADDY U PU.**

My Lord, it gives me much pleasure to be permitted on behalf of the anti-separationist section of this Conference, to declare our gratitude to His Majesty the King-Emperor for having graciously allowed his beloved son, His Royal Highness the Prince of Wales, to open the deliberations of this historic Conference, and also to His Royal Highness the Prince of Wales.

I hope and pray that the opening of this Conference will bring to Burma an era of peace and prosperity so that thousands of our people who are now in the grip of starvation may once again enjoy the blessings of peace. I cannot at this moment forget the unfortunate sufferings of our people and all, I am sure, will join with me in the prayer that the land of pagodas may once again see the glory of light. This Conference, I hope, My Lord, will bring to Burma, Home Rule as enjoyed by Ireland and the Dominions that compose the mighty British Empire, and no form of government that falls below that mark will ever satisfy the aspirations of my people. May the higher powers which guide the destinies of nations assist and inspire us, so that the deliberations of this historic Conference may introduce political freedom to Burma that will give pride to us and to the generations yet to come as an inheritance from this present generation. There is only one way by which we may restore peace to the land of our birth, and that can be realised by getting back the confidence of the people of Burma. My Lord, need I say that if peace is restored and confidence revived the people of Burma will extend a hand of fellowship to the Government. May the divine powers help and guide our Chairman and the members of this Conference to carry on their deliberations without fear and seeking no favours, all the time bearing in our minds the larger interests of the nation.

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*Chairman* : Members of the Burma Conference, before we adjourn, there is one small piece of business which we might, I think, achieve. I believe it is the general wish of the delegates as a result of a private exchange of views that a Business Committee should be set up, and accordingly I propose that it should be set up in the following words :—

“ That a committee to advise the Conference on the conduct of business shall be constituted, composed of the following gentlemen who have expressed their willingness to serve :—

Sra Shwe Ba.  
Mr. Ohn Ghine.  
Sir Oscar de Glanville.  
Mr. Haji.  
Viscount Mersey.  
U Ni.  
Major Graham Pole.  
Tharrawaddy U Pu.  
Earl Winterton.”

I put that motion.....It is carried unanimously. I hope the Committee so constituted will meet at St. James's Palace at 3.30 this afternoon. Having discharged that business I suggest that the Conference should now adjourn.

## Plenary Session, 2nd December, 1931.

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*Chairman* : Members of the Burma Conference, my first duty at the opening of this second meeting of the Conference is to read a message from His Gracious Majesty the King-Emperor :—

“ The King is much gratified to receive the message\* submitted by you as Chairman of the Burma Round Table Conference, containing an expression of loyalty from the Delegates assembled at their first plenary meeting. I am to assure you that it has been a source of pleasure to His Majesty to place at their disposal the King’s Robing Room for the inaugural ceremony performed by the Prince of Wales and rooms in St. James’s Palace for subsequent meetings. It is His Majesty’s earnest hope that the deliberations on which the Delegates are now embarking will be brought to a successful issue.”

I have a second message to read, from His Royal Highness the Prince of Wales :—

“ The Prince of Wales has received with much pleasure the message addressed to him by the members of the Burma Round Table Conference from their first plenary session.

His Royal Highness greatly appreciates the terms of this resolution† and sincerely hopes that the Conference which he was privileged to inaugurate in the name of His Majesty the King-Emperor will be brought to a successful conclusion.”

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\* The text of this was as follows :—

The Delegates to the Burma Round Table Conference submit their humble duty to His Majesty the King-Emperor and desire, as their first act in Conference, to lay before Him an expression of their devotion, and of their loyal gratitude for the gracious message conveyed to them by His Royal Highness the Prince of Wales. They are deeply sensible of the conspicuous honour conferred on them by His Majesty’s permission to hold their first meeting in the King’s Robing Room in the Palace of Westminster and to pursue their further deliberations in His Palace at St. James. For these notable marks of His Majesty’s consideration the Delegates have the honour to express their heartfelt thanks; from them they will draw encouragement to perform the task before them.

† The text of this was as follows :—

The Members of the Burma Round Table Conference assembled in their first Plenary Session desire to express to His Royal Highness the Prince of Wales their profound gratitude for the signal honour bestowed on them by His Royal Highness in inaugurating their proceedings this day.

The gracious words with which His Royal Highness has greeted them will be a source of inspiration and encouragement to them in their deliberations; and his presence among them on this historic occasion will, they are confident, draw yet more close the bonds which hold the people of Burma in loyal devotion to the Crown.

### **THE GENERAL DISCUSSION.**

*Chairman :* Members of the Burma Conference, we now can embark on a general discussion preceding our more detailed labours, and I think it might be convenient if I stated in a few words some of the events which have led up to the summoning of the present Conference. It would have the effect, also, of defining perhaps clearly what the objects of this Conference are.

You will forgive me if, in my first words, I remind you that we are gathered here for the purpose of deliberating upon the outlines of a constitution suitable for a Burma separated from India. This assumption of the separation of Burma from India has plainly given rise to misgivings in some quarters and to misapprehensions in others. It will, therefore, I think be well for me to recapitulate the events leading up to our presence here.

The separation of Burma from India was recommended by the authors of the Montagu-Chelmsford Report, by the Statutory Commission, and by the Government of India. Last year the Burma sub-Committee of the Indian Round Table Conference endorsed the principle of separation, when it asked His Majesty's Government to make a public announcement that the principle of separation was accepted. This conclusion was discussed at some length in a Committee of the full Conference, and expression given to the view that steps should not be taken to carry out the recommendation of separation until it had been ascertained that such was truly the desire of the people of Burma, and that separation would not involve any diminution of her prospective status. On the 20th January, the day following the conclusion of the Indian Conference, the Secretary of State for India in announcing the decision of His Majesty's Government to proceed with the separation of Burma in pursuance of the provisional conclusion reached, made it clear—I am now quoting from his words ; they are not my words, they are his words—

“ That the prospects of constitutional advance held out to Burma as part of British India will not be prejudiced by this decision, and that the constitutional objective after separation will remain the progressive realisation of responsible Government in Burma as an integral part of the Empire.”

He proceeded to forecast the summoning of the present Burma Conference. The object of the present Conference was indicated in the announcement of the 20th August to be for the purpose of seeking the greatest possible measure of agreement regarding the future constitution of Burma, and the relations of Burma with

India. The announcement added that—I am now quoting the actual words used :—

“ The primary task of the Burma Conference will be to discuss the lines of a constitution for a separated Burma. When the results of these deliberations are known, there will be an opportunity for a review of the whole position by all parties concerned before any final adoption and proposal to Parliament by His Majesty’s Government of measures to implement their provisional decision in favour of separating Burma from India.”

But I think it is clear that if we are to perform the task allotted to us we must assume, however provisionally, that Burma is to have a separate constitution. In the case of a separated Burma, the sphere of the Government will include functions now classed as Provincial and others now classed as Central. For this reason, the future Constitution of Burma, if separated from India, will, as the Statutory Commission said, probably fall into a special category, not following exactly the model either of the Provinces, or of the Centre, or of both. In any case, it is plain that we cannot give too careful consideration to the framing of a constitution which has to make provisions for functions hitherto outside the scope of any Provincial government.

In his speech of 19th January last, the Prime Minister made it clear that in the case of India, special provision must be made for the control of matters in regard to which the people of India are not at present in a position to assume responsibility, and for the guarantee of certain existing obligations. This consideration applies no less in the case of Burma. One of the tasks before the Conference is to endeavour to seek agreement as to the means by which, without prejudice to the prospects of progress towards the realisation of the declared goal, these essential interests and these obligations may be safeguarded until Burma has had an opportunity of gaining experience of her new responsibilities.

Another aspect of the task of framing a constitution for a separated Burma which is to make progress towards the realisation of responsible government within the Empire lies in the consideration of the relations between Burma and India, and how these relations should be expressed—whether in the Constitution or by other means ; but as regards, at any rate, three of the important matters falling under this head, I think it will not be either necessary or desirable for the Conference to go beyond the consideration of general principles and of the question whether or not those principles should be embodied in the Constituent Act. The question of the financial consequences of the separation of Burma is not one that we shall be able to go into very fully here : it is a matter for expert examination, some progress with which has already been made on the lines recommended by the Burma sub-Committee of the Indian Conference.

Similarly, we are hardly in a position to deal here with highly technical questions such as the detailed arrangements for the defence of Burma and the formulation of a trade convention with India.

In conclusion, I should like to stress the importance I attach to the satisfactory outcome of our deliberations, which seem to me no less important than those that have gone on in the Conference that has sat in this very room before us.

It is true that the matters with which we have to deal affect a population of 14 millions, and not of 320 millions, and that the issues which involve a division of responsibility in Burma are not so vast as in the case of India ; but although the problems are not equal in magnitude, they are similar, and their importance is added to by the great position of Burma in Asia, her present resources, and her potential future. It is one good augury of success that in several respects the problems we have to deal with are much smaller than those which faced the Indian Conference. We are not faced here with the construction of a federal system of unparalleled magnitude and novelty, and our communal issues, though we have them, are not, I venture to think, likely to prove any serious obstacle to that satisfactory agreement which I trust will emerge from our discussions.

After these short preliminary observations, which I trust have done something to clear up some of the issues before us, we may proceed with the general discussion.

*Tharrawaddy U Pu* : May I be permitted to ask whether the question of separation should not, or must not, be discussed at this Conference ?

*Chairman* : All that I said was, advisedly, that in framing a constitution for Burma, we must obviously proceed on the assumption that Burma is to be separated from India. Of course, if in the general discussion any Delegate wishes to say that he is against separation he can do so, but if the Conference is to be unanimous in favour of remaining united with India, our task will be commendably short, because we shall have nothing to do.

*Tharrawaddy U Pu* : I want to know whether we would be allowed to bring up the issue of separation after we have discussed the constitution. If we do not approve the constitution we would like to discuss the question of separation. Shall we have the right ?

*Chairman* : You are asking me to rule in advance as to what happens after we have built up a constitution. Perhaps you could ask me that question later. On the general discussion the subject is open, and if you choose to express any views against the separation of Burma you will be entitled to do so.

*Tharrawaddy U Pu* : We may, or may not, have a chance of bringing up the issue of separation at the conclusion of the discussion regarding the constitution.

*Chairman* : When this discussion is over and we go into a general committee and report to the general Conference you will be able to express your views on that constitution as you choose.

*Tharrawaddy U Pu* : On the constitution, yes ; but what about the separation question ?

*Chairman* : Do not tie me to an opinion so many weeks in advance. I do not wish to confine the discussion.

*Tharrawaddy U Pu* : I understood from Your Lordship that you would make this question clear. I asked whether the question of separation as also the question of Federation was an open one, and I understood from you clearly that in your speech just delivered you would make it plain that the question of separation, as also of federation, is open. That was the statement made to us by His Excellency the Viceroy when we had an interview with him. He made a very clear statement to the effect that the question of separation is an open one. The question is, are we to be bound by the decision of the previous Conference, to which you invited only four separationists ? From that Conference we were purposely kept away.

*Chairman* : In my statement I made it clear that you were not so bound, and that after this Conference was over, this question would have to be considered and discussed. I want to make it clear also—because I think you are a little doubtful about this—that by taking part in discussions as to the particular form a Constitution for a separated Burma might take, you would be in no way bound ; you would be perfectly free afterwards to say that you were in favour of remaining united to India or not as you chose. Can I make it clearer than that ?

*Tharrawaddy U Pu* : What I am asking Your Lordship is, can I put the issue of separation before this Conference for a decision ?

*Chairman* : The present discussion is a general one. In your speech you are entitled to discuss that if you wish to do so.

*Tharrawaddy U Pu* : That is true ; in my speech I can say what I think fit for Burma ; but the question is, can I force this issue of separation to a decision by this Conference ?

*Chairman* : We must see about that later, when we find what the opinions are. I cannot answer that now.

*Mr. Cowasjee* : I should like, if I may, to make a few observations on this point. We have met here to consider a Constitution for Burma upon two different footings : one, a Burma separated from India, and the other, a Burma connected with India. Is there any reason why we should not apply our minds to the consideration of the question as to what the Constitution should be upon those two different footings (1) if Burma is separated from India, and (2) if Burma is not separated from India ? It seems to me that both those constitutions might be considered when we meet together to consider what the Constitution ought to be, and there is no reason why these two constitutions should not be considered simultaneously.

*Mr. Haji* : Before you give an opinion, My Lord, on the suggestion put forward by my friend, may I venture to remind you of the point I raised at the meeting of the Business Committee, namely, that according to the official communiqué, although the primary task of this Conference is to devise a Constitution for a separated Burma in the event of Burma being separated from India, its first task and its important task, as I read the communiqué, is also to consider the future Constitution of Burma. As a matter of fact, you will recollect that that is the first sentence in the official communiqué ; the reference to the other matter comes later. The official communiqué says that the business of this Conference is to consider the future Constitution of Burma and its relations with India. I should like your decision, therefore, as to whether it will be open to us, as I think in fairness it ought to be, to consider also, simultaneously, or soon after we have prepared a Constitution for a separated Burma if simultaneity cannot be achieved, a Constitution for what one might call a federated Burma, Burma in the Indian Federation.

This is the more necessary, because in the event of a Constitution for a separated Burma which we might evolve not being satisfactory to the people of Burma, they would then have a chance of choosing between the two Constitutions, the separated and the federal. Moreover, it will give them an opportunity of putting the conditions according to which they are prepared to join the Indian Federation before the Indian representatives. I should also like, if I may, at this point to repair one omission which I noticed in Your Lordship's speech. When tracing the history of this question I am afraid you made no reference to the fact that the question of the separation of Burma or the federation of Burma with India has to come before the Indian Round Table Conference. You will recall My Lord, that in reply to Mr. Jinnah's question the Prime Minister, on the very last day of the previous Conference or on the day before—I forget which—gave an undertaking that no decision would be taken on the question of Burma until that Round Table Conference had had an opportunity of discussing the question.

That opportunity, in spite of the second Session of the Indian Round Table Conference having just been finished, has not been forthcoming. Probably that will be forthcoming in the course of the third Session of that Conference. But certainly, that is a point which needs to be kept open; and, in view of all these various points, I would suggest that you would be good enough to give us your decision at this stage whether it is open to us or not, to consider side by side, a constitution for a separated Burma as also one for Burma as part of the Federation.

*Chairman* : I am not quite clear exactly what you are suggesting. We obviously cannot consider two things at the same time. I think we are met here to consider what the constitution of Burma should be, if Burma is separated from India. Then your question to me is, will you also be able to consider what would be the position of Burma supposing it was not separated from India. That is your question I think.

*Mr. Haji* : Yes, what kind of constitution ?

*Chairman* : Yes, but if Burma is not separated from India, I presume the position of Burma would be exactly the same as that of one of the Indian Provinces, and we should have nothing to consider. What would there be to discuss ? Either Burma is separated from India or it is not. If it is not separated from India, it will be in the same position, I presume, as Madras or Bengal, and we could not, I think, very well here consider, separately, a particular and separate position for Burma in the Indian Federation. I do not know whether that is exactly what you mean.

*Mr. Haji* : You stated just now that in the event of separation not being acceptable, Burma can join the Indian Federation on the basis of any one of the several Provinces, Madras, Bombay, Bengal, or any other. But, I would like to draw your attention to the fact that in the course of his speech yesterday the Prime Minister stated that the North West Frontier Province will become a Governor's Province, and will, in due course, have Provincial autonomy, but it may be subject to the facts which might emerge from a consideration of the defences of India along the frontier. Similarly, it is quite possible that the people in Burma who might not be satisfied with a separated constitution, might like to join the Indian Federation and yet—it may be on the same footing as any other Province but it might not—they might want to consider certain propositions, and I think they would be justified in wanting to consider certain propositions from their own point of view. To give Your Lordship only one illustration, take the question of inter-provincial migration. Now if the Indian Provinces of India proper only are considered, that question would probably be regarded as a Central subject. In the event of Burma deciding to join the Federation, Burma might want to keep that as a Provincial subject.

I could give you a number of illustrations where the Burmans might like to lay down their conditions in the event of their having to join the Federation. Now that this Conference is assembled, for a particular task, to evolve a future constitution for Burma, though I know the primary task is with regard to a constitution for a separated Burma, I do not think, according to the official communiqué, we are debarred from considering this. As I said before, if simultaneous examination may not be possible, we might do so after we have considered the separated constitution. The sequence of events is immaterial. I do not think we can be debarred from considering the future constitution of Burma on the basis of its joining the Federation.

*U Ni* : My Lord, may I just take this opportunity of making myself clear. I do not think I understood my honourable friend Mr. Cowasjee very correctly. I was one who expressed an opinion with regard to entering the Federation, but now I have given up that opinion. I can never think of any opportunity when we should be with India or should remain within the federated India. Formerly I was one of those that thought the door might still be kept open, but after the experience which I gained from the Indian Round Table Conference I think our question is quite simple and that it would simplify matters if we considered the question of a separate Constitution for Burma.

*Mr. Wardlaw-Milne* : I think the position really is not very complicated. There are, I understand, a certain number of people who are not in favour of separation at all in any circumstances. There is another group of people who are in favour of separation of Burma if the Constitution which evolves from this Conference is satisfactory. There is a third group who are entirely in favour of separation, may I say, almost in any circumstances. It is clear that we cannot possibly deal with the first group at this Conference, because their view is against separation on any terms. It is equally clear that the second group cannot give a final decision as to their views until they see the Constitution which is evolved ; and I suggest that as we cannot touch the first group, and as the second group cannot give a final answer until our constitutional problem has been met, it is clearly, as a matter of procedure, the proper business of the Conference to go on with the work of constitution-building. We shall then get a decision from what I call the second group as to whether they are satisfied. The first group, as it will not be satisfied in any case, we cannot possibly meet whatever we do. I suggest, therefore, that the Conference should proceed at once with the business of discussing the constitution of a separated Burma, leaving the question of those who may afterwards decide that they are not satisfied with the results of our labours, to bring up their arguments when that time comes.

*Lord Winterton* : May I also add a word and say this, that I propose, in the course of the debate in the House of Commons to-day or tomorrow, to obtain from His Majesty's Government a definite statement of their intentions with regard to any conclusion which this Conference shall arrive at. I propose to ask them in the most formal manner to state, with definition and with precision, that if this Conference comes to an agreement, they are going to implement that agreement by legislation without reference to any other body.

*U Maung Gyee* : May I rise to make clear my position. We have been invited to this Conference to consider a Constitution for a separated Burma, and I believe we have come from our country to this country to do so. If we receive a good Constitution we may accept it here and now. If we are offered an inferior Constitution, so far as I am concerned, I shall have no other alternative but to return home and place the whole position before my country and take its decision.

*Tharrawaddy U Pu* : I do not quite follow Lord Winterton's remark. Do I understand him to mean that a constitution evolved as the result of the discussions at this Conference will be put into effect by legislation whether the anti-separationists like it or not ? Is that the position ?

*Lord Winterton* : Yes ; I think that the Conference will be of no value whatever, and we might as well not meet, unless the decisions of the Conference are put into operation, provided His Majesty's Government accept them. If His Majesty's Government will not accept them, then we cannot do anything further. If His Majesty's Government accept the decisions reached by the majority of the Conference then I contend that they should be put into operation by legislation. Of course, if His Majesty's Government does not accept that, it is open to us to take steps in our respective countries.

*Tharrawaddy U Pu* : My Lord, you have seen the honourable Delegates present here. They were selected by the Governor of Burma. In Burma we have different parties. Of course, among the parties there is no Burman who opposes separation at any cost. We are here—my friends and I—to oppose separation. In that connection I should like to direct your attention to the composition of this Conference. Who selected the Delegates for this Conference ? It was His Excellency the Governor. We, the anti-separationists, have only five here, whereas our friends, the pro-separationists, have six from their party ; and there is, of course, Miss May Oung, who, I understand, is a neutral. Your Lordship will find that my friends here from Burma representing the minorities are all for separation. The question of separation has been discussed threadbare on the floor of the Burma Legislative Council.

This Conference being constituted as it is, I appeal to Lord Winterton, whether we are to be bound by this Conference on this question of separation. I enter our strong protest here and now against coming, under any circumstances, to a decision in this Conference on the question of separation. The pro-separationist may like to accept a constitution inferior to the constitution which the anti-separationists could accept. I speak for the anti-separationists. It was your Governor who selected the persons of his choice. It would be a great injustice to us if you forced us to accept a constitution approved by the pro-separationists only, who are in a very large majority in the present house. There are only five of us, apart from my two Indian friends here. My Lord, put yourself in our position. We claim that the vast majority of the masses in Burma follow us. This point has been questioned by my friend U Ba Pe and other friends here who want separation ; there is no doubt about that ; yet we claim that a vast majority of the masses follow us.

We put this point to His Excellency the Governor in Burma, and the reply he made was that this Conference would not decide any question by taking votes. It is true that this Conference will not decide questions on votes, but I know that the Chairmen of Committees and the Chairman of the Indian Round Table Conference used to go by taking the sense of the meeting, the sense of the Conference, the sense of the Committee. My Lord, if you take the sense of this meeting you will find only five men opposing separation, while the rest may agree to an inferior Constitution to which we anti-separationists cannot agree. In such a case, if you could make the position clearer I think it would be better for us, so that we may be able to think over this matter thoroughly before we decide to take part earnestly in the discussion regarding the Constitution.

If a Constitution which is not acceptable to us is going to be forced on anti-separationist Burma by legislation, I do not know whether it would be wise or whether it would be of any use for us to carry on earnestly with the discussion, as we had hoped to do when we left Burma. When we left Burma we had great hopes that the question of the separation of Burma would not be forced down our throats against our will. At present it looks as if—supposing you can evolve a scheme which would be acceptable to the pro-separationists alone—you are going to force that by legislation on Burma without asking Burma again whether it is agreed that Burma should be separated from India and have the Constitution which may be evolved here by a majority. In that case, of course, our case will be doomed, and therefore I suggest that now, before it is too late, we should carry on with the discussion until we can evolve a Constitution. Even if that Constitution be acceptable to the majority of the delegates who are pro-separationists, I would beg His Majesty's Government not to force that Constitution upon anti-separationist Burma, but to send that Constitution to Burma and enquire from the Burmese

people whether they would accept that Constitution and separate from India.

As I have told you, I am not a man who would oppose separation at any cost. If we can get a good Constitution, we shall accept it, but, if you force us to accept something else, I do not know what the position would be.

*Lord Winterbottom* : I want to make my position quite clear, if I may. I have listened with great respect to what Tharrawaddy U Pu has just said, and I think we all recognise his great sincerity in the matter, but I want to make my own position clear. Every one is of course entitled, subject, My Lord, to your ruling, to advocate his own point of view about the future Constitution of Burma ; indeed, unless that was so, there would be no object in inviting anti-separationists to come to this Conference ; of course, they are entitled to put their own point of view. All I said was that if there was general agreement, which I hope may be reached by the Conference—I mean a majority agreement ; if you have two sets of people, one in favour of and one against separation, you cannot have universal agreement if they both stick to their views—I intend in Parliament to press on His Majesty's Government to implement that agreement by legislation ; otherwise we should be wasting our time sitting round this table. We have come to this table in order to discuss the future constitution of Burma and to make recommendations to His Majesty's Government. I shall press His Majesty's Government to accept those recommendations if they are in agreement with them. That does not prevent anybody from advocating any point of view. I, myself, have not made up my mind on the subject of separation and anti-separation. I want to hear all the arguments. I imagine there are others in that position. I want to see this Conference, and I want to see the House of Commons get on with the business of devising a new constitution for Burma, whatever form it may take

*Mr. Ohn Ghine* : My friend, Tharrawaddy U Pu, has made one suggestion pointing to us which I wish to repudiate. That is that he thinks it is possible for us—I mean our particular group here—to accept any constitution inferior to what his group is prepared to accept. That is not true. Our aspirations are as high, if not higher than theirs.

*U Tharrawaddy Maung Maung* : May I say a word as to the suggestion of imposing the decision of this Conference on the people of Burma. As you know, we are non-co-operators. That means we have had no experience in debating and putting our views before a Conference of this sort, and that we are at a great disadvantage in a Conference like this in expressing our views. If we are to abide by the decision of this Conference, I am sure we shall be defeated. And also, as our friend Tharrawaddy U Pu has pointed out, the Delegates to this Conference have been chosen as the Governor-General thought fit. As it turns out, the majority have already expressed their opinion for separation. So that it

is just like packing the ballot box, because all the various people who have already expressed their opinions for separation have been chosen, and only a few chosen to express the anti-separation point of view. As I have said, since we have had no experience in debating, we are also again at a disadvantage. I only wish that you will bear these points in mind ; that when you consider the general sense of this meeting you will give due weight to our disadvantages, and that only after ascertaining the actual strength of the various parties concerned in Burma, will you give a final decision. But in any case, if we are to be bound by the majority decision of this Conference I am afraid we shall not be able to abide by it.

*Chairman* : I have been asked one or two questions, but I am led to the rather mortifying conclusion that a good many of those present did not do me the honour of listening to what I said in my opening speech, because what I said then really met the points that have now been raised. I think the best thing I can do is to make clear again what I did say. The primary task of the Burma Conference will be to discuss the lines of a constitution for a separated Burma. That is our duty ; that is why we are called together. But now I wish you to pay attention, Tharrawaddy U Pu, to this next point, because you were afraid, I think, that we should draw up a constitution and that you would be bound by that. That is what you are afraid of.

*Tharrawaddy U Pu* : Yes.

*Chairman* : The words which I am now going to read, and which I read before, show that you need have no fear or misapprehension on that point of any kind.

"When the results of these deliberations are known, there will be an opportunity for the review of the whole position by all parties concerned before any final adoption and proposal to Parliament by His Majesty's Government of measures to implement their provisional decision."

Now those were the definite words of the invitation itself.

Now, I cannot use words more clearly to show that, though our primary duty is to devise a constitution for Burma on the assumption or hypothesis, if you like, that Burma is to be separated from India, that conclusion that we arrive at is in no sense a final conclusion, but the whole matter of whether Burma should be separated from India, or whether it should not, will then be discussed by the parties concerned ; and may I point out this—that you will be in a far better position to come to a decision, because then you will know, anyhow, what are the views of this Conference as to the kind of constitution which Burma might have. Then, instead of more or less discussing in the air whether Burma should, or should not, be separated from India, you will have on one side the Indian Constitution, to join it as a Province, and you will have on the other

side the Burma Constitution, and then you will be really able to come to a final conclusion. Till then, nothing is finally settled ; but I now suggest that we should go on with what I think you have said is our primary duty—that is to say, to try and devise a Constitution for Burma on that assumption. When that is done your task will be easier ; but no one here, of course, will be bound by any conclusion that is arrived at, because the Report will state, as it states in the case of the Indian discussions, that certain views were expressed as to this, and certain views were expressed as to that. I do not think you need be under any apprehension at all that you will be tied by the views expressed here. You will not be tied, because that whole question will be open, as I have said, after this Conference is over.

Now, can I put it more clearly than that ?

*Tharrawaddy U Pu* : No, Your Lordship is quite clear so far ; but there is still one point on which I want to express my humble position. That point is this. As Your Lordship has now said, we will go on discussing the matters of detail regarding the future constitution. After we have arrived at that last stage, if a Constitution should be evolved, shall we have an opportunity of bringing forward our views as regards separation ?

From what Your Lordship has just said we shall be at liberty to bring up this question of separation. There is no doubt about that ; I quite agree with Your Lordship ; but the decision of that separation question will be made, according to Earl Winterton, by this Conference.

*Chairman* : Not a final decision.

*Tharrawaddy U Pu* : Oh, thank you.

*Lord Winterton* : No, I only said that I should press on the Government. I speak only for myself. I hope that my friend will get out of his mind that I am entitled to speak or wish to speak for the Government. I have nothing whatever to do with the Government. I am speaking only for myself. I said that I intended to press on the Government what seems to me the common-sense point of view—that if there was general agreement at this Conference they should proceed to implement that agreement. I emphasised the word "*provided*" that they were in agreement with it. What I am going to fight against, in Parliament and elsewhere, is intolerable delays after the Conference has come to an agreement. I see no reason for consulting anybody else. I think if the Conference reaches agreement, and if His Majesty's Government are in agreement with that agreement, then it should be put into operation. I can bind nobody except myself. Others, including the Chairman, are entitled to take a different view. That is the view that I take.

*Tharrawaddy U Pu* : I do not quarrel with any other words except the words "if the Conference reaches its decision." That is the thing.

*Chairman* : Well, shall I use this expression—"its provisional conclusions"?

*Tharrawaddy U Pu* : "Provisional conclusions approved by the Conference," is it not?

*Chairman* : Well, "reaches a provisional conclusion." I do not know that I can say anything more clearly than that. I have said so several times already. If this Conference is fortunate enough to be able to create a Constitution for Burma, when that is over it will be possible for those who take different views for or against separation to express those views; and they will be able to do it so much better because instead of dealing with something merely in embryo, they will have something definite before them to come to a conclusion.

*Tharrawaddy U Pu* : You can only arrive at a conclusion by taking the sense of the meeting. There is no other way. But the Conference as it is constituted is most inequitable to the anti-separationists. You have selected most of the pro-separationists and only five anti-separationists have been chosen by your Governor.

*Chairman* : Well, I cannot be responsible for that.

*Major Graham Pole* : Mr. Wardlaw-Milne said that there are some who are anti-separationists at any price. I do not think there are any at this Conference who would not accept separation on their own terms. What this Conference has to do is to find if there is a great measure of agreement as to the terms on which separation could be made, and after that, if the terms are not good enough it is open to Tharrawaddy U Pu or anybody else to put their point forward. But let us first see if there are such terms as we can all agree upon. Everyone here would have separation on some terms. Let us see what those terms are.

*Chairman* : Now can we proceed on our primary duty? I call upon U Ba Pe.

*U Ba Pe* : My Lord, I rise to present you with a statement agreed to among the Delegates who represent the majority interests of Burma.

"We, the undersigned Delegates, who have been invited to attend this Conference to represent the majority interests, desire to make a statement which we trust will clear the ground for the work which lies before us. We are aware that there has just been a General Election, and that the British Government is pre-occupied in finding solutions for its own national problems. Its time and attention, moreover, have been engaged in the difficult task set by the Indian Round Table Conference, where so many speeches were made and acute divergence of opinion disclosed. Our problems are comparatively simple, and our differences, if any, can only be of minor degree."

We therefore desire to shorten the proceedings of this Conference as much as possible, and by an agreed statement to prove that among us there is general unanimity, and that, in consequence, our problems admit of convenient solution. Moreover, we are people in a hurry. While we know that His Majesty's Government, with its other grave commitments, must welcome despatch, we do emphasise that our desire for haste is founded upon considerations of the highest importance. We refer to the lamentable condition in which our country finds itself, and to the state of rebellion which has been in active existence there for the last eleven months.

As we debate here, our countrymen are being killed and heavy debts are being piled up. This is, therefore, we feel, no occasion for indulgence in party expression of opinion. We desire to settle the matter of the Burma Constitution as rapidly as may be, and thereafter return to our distracted country with power to alleviate her sufferings.

The explanation of the present state of Burma is partly to be found in the profound disorganisation into which our society has fallen. When the British decided in 1826 to extend to Burma the Indian civil administration, the Government committed itself in advance to a policy which was bound in time to destroy our national individuality. With Burma a statutory part of India, all measures had to be considered from the point of view of India as a whole. Most deplorable events followed upon this, and unregulated immigration took place. The labour immigrants had a lower standard of living than ourselves, and in consequence drove us out of the labour market. Other immigrants arrived with capital and trading experience, and, having the lead of us, were able to establish themselves to our detriment. The economic equilibrium of Burmese society was destroyed.

Under our dynasty we were protected against anti-national economic forces, and we were a well co-ordinated population ; each man had his place ; there was work, food, and amusement for all. To expose such a sheltered community to the influence of world economic forces without any preparatory period or special local legislation was bound to be disastrous. This is, however, what happened to us, because the local Government of Burma was under the orders of the Government of India.

Not only was our Government unable to protect us from the economic storm, but it also failed to insist that the public services working in Burma should be recruited from the people of the soil. As a result the Public Works Department and the Departments of Posts, Telegraphs, Medicine, Ports and Railways were staffed by men recruited largely from non-indigenous sources. More important still, no serious efforts were made to raise either Burmese regiments or Military Police. The few regiments that were raised during the Great War or earlier, such as Queen Victoria's Own

Burmese Sappers and Miners, were disbanded on the ground of economy, a policy dictated solely in the interests of India and against public opinion in Burma. It was no doubt easier and cheaper for the Government to take the course it did, and so save the trouble of training us, but it was in the long run a fatal course, and its results have become apparent in increasing rural crime and now in the present rebellion.

The diseased condition of Burmese society can be cured only by one prescription, namely self-government. We know the cause of our sufferings and we know how to alleviate them. It must be recalled that we were an independent kingdom until 46 years ago ; while India, during the centuries, has been continually over-run by conqueror after conqueror ; we have had our own dynasties from very early times, foreign invasion and interference having been transitory and incomplete until our conquest by the British. Indeed, not only were we able to maintain the integrity of our country until that time, but our military exploits during the eighteenth century in Assam and Siam distinguished us as one of the martial races of the Further East.

For people of our spirit, with so long a history, with so markedly individual a religion and culture, the loss of liberty has been grievous, and the accumulated degradation of our race by a foreign Government a profound tragedy. But our sufferings have not broken us, and when you have granted us the free government we desire we know how to rebuild on modern lines the Burmese State. It is not to be supposed, indeed, that anyone but ourselves can save us ; no one else has the local knowledge and no one else can carry the people with them.

The pre-Reform Government was totally irresponsible, but we must point out that the Reformed Government was hardly less so. Although the dyarchical system as conceived by the late Mr. Montagu was intended to give the local inhabitants some share in the government of their country, this was not its result in Burma. At its inception dyarchy, though boycotted by sections of the people, yielded some results. The Government at first concerned itself to make the system as workable as possible, but this period passed, and latterly dyarchy, as administered in Burma, has failed even in its limited scope and alienated every section of the people.

The official bloc, though intended to constitute an expert body of advisers, was, in fact, used to vote down popular measures and to support the official programme.

The psychological effect upon the Government of being able to rule, in effect, autocratically on the transferred as well as on the reserved side was deplorable. The official attitude stiffened. Even in minor matters, public opinion was ignored. All contacts between the Government and the governed ceased. The former, never noted for its touch with the people, now lost touch altogether.

This heartbreaking misrule has had its inevitable sequel in the present chaos and misery. The rural population was driven to despair. They had borne the brunt of the economic disequilibrium already referred to, and had been made profoundly unhappy by local oppression. When it became evident to them that dyarchy as worked in Burma brought them no relief they became further depressed and their minds turned to the old days. The economic slump of 1930 was the last straw. They became desperate and, impatient of further delay, broke out into insurrection.

We, as representing the constitutional movement for reform, at once realised the seriousness of the situation. We offered our services to the Government, but as it had deliberately cut itself off from us and was quite at sea as to the real meaning of events, it was unable to understand that our proposals, if they had been accepted, would have given it the necessary public backing to end the rebellion. It preferred to dispense with our assistance and put its trust in plain force. The history of the last eleven months shows how signally it has failed. The rebels may be damped down in part, but unrest and dissatisfaction remain as they were with all their potential dangers, while the criminal elements have broken loose and defied the law.

We have no doubt that the rebellion could rapidly be brought to an end, and our economic distress lightened by the application of right measures. But experience having taught us that negotiation with the Government of Burma was a fruitless task, and being powerless, we turned, My Lord, in our need to the British Government. Since last March by resolutions, cables, messages and every method at our disposal we have tried to ventilate our grievances. We have had to wait some time and our country has suffered terribly in consequence, but now that we are here, we hope that you will listen to our requests and help us to put an end to our sufferings.

What we want is responsible self-government on equal footing with other self-governing Dominions. Nothing else can cure the ills of our countrymen. Help us, if you can, to build up a constitution. We ourselves desire a constitution on the Irish Free State model. We are willing to be fair to all concerned, to all legitimate vested interests, whether of non-settlers or of settlers. We are ready to confer with all interested parties as represented here. There is no communal strife in Burma and no minority problem. We, however, agree that in settling our future constitution due regard should be shown for the interests of those whose case calls for special consideration. But we appeal to them now to show a large spirit and we are confident that they will put the welfare of Burma first.

My Lord, we began by saying, that we were people in a hurry and we explained how it was that the rebellion constrained us to despatch. For that reason we ardently wish to come to an agreement

with Parliament as soon as may be and at once take the responsibility for implementing it. We cannot agree that there should be an interval between our settlement with you here in London and the introduction of the new constitution into Burma. It is essential to proceed at once with the work of pacification. Moreover, an atmosphere for the introduction of the reformed constitution must be created. It is necessary that the people should be convinced at once by some earnest of what is to follow.

The concrete proposals which are now set out are conceived to attain these objects.

#### *Statement of Proposals.*

(1) That pursuant to the above united statement, the British Government should declare itself willing to enter with the Delegation on a constructive joint effort to draw up a constitution on the lines suggested.

(2) That it be intended that the constitution should begin to come into effect on the 1st April, 1932.

(3) That to inaugurate the new constitution, a new Governor be sent out, one who can be trusted to give expression to what we believe are the real feelings of amity held towards us by the British people.

(4) That to prepare the way for the new constitution, to pacify the people and to create a suitable atmosphere for the elections under the new constitution, the following measures be taken :—

(a) The local government should be directed to grant a general amnesty to all rebels.

(b) The thathameda tax in Upper Burma and the capitation tax in Lower Burma should be remitted.

(c) A commission of enquiry, consisting of certain representatives of Parliament and certain members of the present Delegation should proceed to Burma immediately the business in London is completed, with authority to enquire into the genesis and cause of the rebellion and to report on the economic and other remedial measures which may be necessary to achieve a permanent pacification of Burma.

In conclusion, we would like to say that we are very sensible of the atmosphere of good will which we feel around us and the British Government can count upon our sincerity and good will in the negotiations upon which we are now entering."

(*The above statement was signed by U Chit Hlaing, U Ba Pe, U Maung Gyee, U Ohn Ghine, U Tun Aung Gyaw, U Ba Si, Dr. Thein Maung, Miss May Oung, U Tharrawaddy Maung Maung, Tharrawaddy U Pu and U Ni.*)

*U Ni* : My Lord, may I, with your permission, say a few words with which, I believe, all my colleagues here will agree, in order that the members of the British Delegation, as well as others who are responsible in England, may at once know what is uppermost in our minds, and in the minds of the whole people of Burma, as to what should be done to allay the present seething unrest and discontent, and the active violence in the form of rebellion now going on in Burma, to our utter regret and to our deepest concern. I sincerely believe that you will all consider our case with the utmost sympathy and deep concern, which we, in our humble opinion, strongly think our case demands.

When first the Indian Round Table Conference was convened, we found that only some four of the Burma Delegates were invited. We honestly doubted the wisdom of the course adopted by His Majesty's Government, knowing as we did that if any decisive step was to be taken affecting our country, such a representation was totally inadequate to yield any fruitful result. But we are glad now that that was not the final intention of His Majesty's Government, as we now find that more representatives are invited, making the Delegation as representative as possible. When first we heard of the first draft resolution of the sub-Committee No. IV of the Indian Round Table Conference, asking His Majesty's Government to make a public announcement that the principle of separation is accepted and that the prospects of constitutional advance towards responsible government held out to Burma as part of British India will not be prejudiced by separation, public opinion in Burma was very much affected, and people were greatly alarmed. Some thought that the latter portion of the statement concerning the prospects of constitutional advance held out to Burma was utterly inadequate and was only a preliminary to what they were dreadfully afraid the British Government would do unwittingly to turn Burma into a Crown Colony. As a consequence, the school of thought that considered it unsafe for Burma to separate from India before getting a definite assurance from the British Government that full responsible self-government with Dominion Status will be established in Burma, and that separation is only a means to that end as being implicit in the line of action to be taken if full responsibility to manage their own affairs is to be handed over to the people of Burma, grew in force. A sharp division of opinion, where there was none before, as to whether the British Government intended to put off Burma with a second-rate constitution which would not enable the Burmese to evolve a national policy of their own and to work out their own salvation with an undivided responsibility, came into being. Even when we left the shores of Burma, this strong cleavage of opinion still existed, all for the reason that the Burmese people, driven to exasperation at their failure to stem the tide of economic and political degradation, which they find is slowly and quietly enveloping them, are very impatient of the lot in which they find

they are forced to remain, and are highly apprehensive of the future lest that future also should bring no sufficient change for their betterment.

Such being the case, we wish to bring to your kind notice, with all the emphasis at our command, and without in any way overstating our case, that the situation in Burma demands your most sympathetic and effective treatment. When you in your country can adapt yourself to suit the exigencies of world circumstances, over which no nation alone can have control, and you adapt yourself as occasion arises and as frequently as you deem fit, our people feel that their hands ought not to be tied and that they should be permitted to look after themselves in their own way as effectively as they consider necessary. They consider that, while you with your own cares and troubles at home, can hardly divide your attention and look after the internal and external affairs of your own countrymen living in even one out of the many Dominions within the Empire, their affairs are left to the charge of men who cannot feel as they feel—however good their intentions may be, and as to those we have no doubt and have every regard—and who are in no way responsible to them or see eye to eye with them in the management of the affairs of the State. They are sick of the Montagu-Chelmsford Reforms, which they know ushered in the system of dyarchy, and which do not bear any trace of any responsibility in the hands of those who stand at the helm of the affairs of the State. This impatience quickens their desire to manage their own affairs, especially when every time they see measures, taken in the teeth of their opposition, give rise to results which are disastrous and calamitous, and find that they are helpless to introduce the measures which they deem necessary. They now have found that ruin and destruction, not in the remote future, but most present and immediate, will be the only result if conditions are allowed to remain as they are. They find that their national finance has broken down and is at present in a state of bankruptcy; their army is nowhere to be seen, and their trade, commerce and industry are entirely ruined and bankrupt. They find it most difficult to pay their taxes, though they want to pay them, and they find their national and domestic budget such as to make it impossible to make both ends meet. Their means of livelihood have almost dwindled, and unless they are allowed to hold the reins of government, to manage their own affairs, they are unable to help themselves.

The storm of agitation increases day by day. All contact between the Government and the governed has ceased. With the aid and assistance of the official bloc, the Government tries to carry on its administration of the transferred side against the wishes of the people, with ministers who are not responsible to the legislature or people's representatives, and who, therefore, cannot have any public backing; and, as regards the reserved side, with those who

find it impossible to rule without using the major portion of the public revenues to put down public agitation and unrest. The atmosphere thus created by dyarchy has become charged more and more with discontent, disaffection, unrest and distrust. Almost every day meetings have been held and resolutions passed to raise their feeble cries of protest and to record their note of condemnation until, at last, people consider their aim should be complete independence. This agitation for complete independence, stiffened every time it received official pressure and set-back, has been fanned to such an extent that it has become the living creed of some section of the people. The General Council of Burmese Associations, to which our friends U Chit Hlaing, U Su, U Tharrawaddy Maung Maung, U Tun Aung Gyaw and Tharrawaddy U Pu have the honour to belong, representing the progressive and premier political organisations of the country, with a membership containing a considerable portion of our people, and which originally, as a protest, boycotted the dyarchical council or legislature and even the local institutions as being connected with the Montagu-Chelmsford Reforms, stiffened their boycott and redoubled their attack against the dyarchical institutions as the only and surest way to put an end to this régime of misery and oppression.

Other parties, such as the Home Rule Party, and the National Parliamentary Party, to which I belong, and which appeared on the scene in order to storm the citadel of dyarchy from within by entering the Council, have also lost much of their faith in constitutional methods and parliamentary institutions, as you, who are at the head of affairs here, are very slow to hear our dim cries and ardent appeals raised from a distance of more than 8,000 miles away, and as the Government of British India is also immersed in its own difficulties ; while the dyarchical Government in Burma, resting solely on the bedrock of an official bloc, assisted by a few irresponsible members representing some minority interests, has been trying to rule the majority simply by opposing their wishes. Even the Twenty-One Party, whose avowed object it is to instil life into the still-born child of dyarchy, and work it to the best of their ability for what it is worth, has given up its hope of performing that miracle.

“ Walk-ins ” and “ walk-outs ” of the Council have been the order of the day. All-Leaders’ Conferences, All-Parties’ Conferences, mass meetings, protest meetings, priests’ and laymen’s meetings, and ladies’ and men’s meetings clashed with one another, while the Government, instead of directing its energies to bring about the material welfare and prosperity of the people, had to content itself with forging, with amazing rapidity, measure after measure to gag the free and frank speech of the people in protesting against the wrongs done to them, to prohibit people from freely associating with each other to remedy their evils, and to arrest people without warrant or any show of reason before making such arrests.

Violent clashes between the police and other administrative officers of the Government on the one hand, and the people of agricultural class on the other, began to take place, due solely to inability to pay the taxes in time, and feelings among considerable portions of the people ran high because they considered that the Government did not show them any due sympathy in the collection of taxes, even as regards the time of collection, which took place before they could dispose of their paddy or other agricultural products. Before long, the most deplorable of all events took place. Open rebellion and active resistance appeared on the scene. People resorted to violent tactics. Those who resort to constitutional agitation are looked down upon by them. The conflagration at first confined itself to one or two quarters. Intensified and fanned by the world-wide economic depression, it has spread throughout nearly the whole country, except for a few districts, entailing heavy casualties and loss of valuable lives. The civil population who do not follow the rebels are punished by them and have to submit to their extortions. Life and property are made insecure, and are made to serve the purpose of rebellion. In spite of the attempt of Government to quell the same, it spreads, and even at present it remains as it was before.

Now, since you have given us this opportunity to lay before you the conditions as they really exist in our country, we make bold to do so. But let it not for a moment be thought that we do it in bad spirit, or with a view to creating a scare. We do not come here to offend or displease you ; we will take the utmost care to avoid doing so. We are your invited guests. We believe, moreover, that you possess the only magic remedy to cure these evils. We have seen that you are the good physician who cured these evils permanently when Canada, Australia, South Africa, Ireland, and even Newfoundland contracted similar diseases and showed symptoms of similar evils. We have come here to win your hearts and your sympathy, to secure this permanent cure ; and His Majesty the King-Emperor, whose interest in the welfare of his loyal subjects has always remained unabated, shown so recently by his kindness in graciously permitting His Royal Highness the Prince of Wales to open this Conference, has therefore approved of your delegation to this Conference. We appeal to you, with all the sincerity of our hearts and earnestness of our purpose, to apply this permanent cure unflinchingly without any distinction of caste, creed or race. We have held many meetings and met many people in Burma, and the whole country looks to you to apply the same permanent cure in our case. With us there is no question of what that cure is or should be, as we have seen it applied in all cases of this disease—in the case of Canada, Australia and other places, and we feel sure that, provided this treatment is given to us also, all our troubles and evils will come to an end and we will then be able to remain an equal and contented partner within the British Commonwealth of Nations.

Before I conclude, My Lord, perhaps you would like to hear from me the exact words of the message which my people wish me to convey to you. It is this: "That the people of Burma will not, and will never be, satisfied unless full responsible self-government, in the real sense of the word, is established forthwith on dominion lines, just as in Canada, Ireland, and other Dominions." They expect and trust that you will safeguard her present international status which she obtains through her connection with India. They expect and trust you will support her when she applies for membership of the League of Nations or International Labour Conferences and International Court of Justice. They expect and trust that you will give her the same place on your Imperial Conferences as you give to other Dominions.

Gentlemen, I thank you for your kind and patient hearing. Just one word before I sit down, I want to emphasize, with your indulgence, the urgency of our case. The rebellion that has broken out is still raging in our country without any diminution. Both life and money are wasting under our very eyes. I beg of you to be pleased to stop it and stop it at once, because—and I have very grave reasons for saying so—with the inability or difficulty on the part of the people to pay taxes, even before this rebellion started, I cannot visualize what the position will be when more burdens are placed on them in order to pay the expenses for the military expenditure. The Government will have to carry on with a budget with a big deficit, owing to the diminished revenue or tax-collections, as it does now, and then a big—a very big, I should say—portion of it will be eaten away by this military expenditure, leaving practically nothing for the nation-building subjects and other necessary and unavoidable State expenditures. The position might be summed up by saying that if things continue like this for any appreciable length of time, the only result which is sure to follow is the permanent ruination of the country's financial and material welfare.

My Lord, may I, through you, thank again the members of the Conference for the patient hearing which they have given to my humble speech.

*U Su*: My Lord, I desire to make a statement on behalf of the masses of Burma whose aspirations, I need hardly bring to your notice, have been expressed in the peasant revolt in Burma. We are unhappy under the present system of government, which is entirely for the welfare and interests of a small number of capitalists. Their exploitations have upset the entire economic system and national organisations of our people. The indifference of the present Government towards the growing poverty of the masses, and the encouragement that is given to foreign capitalists at the expense of our people, have brought the present rebellion and disorder into our land. The peasants feel that the days of peaceful

progress are over and that they are now faced with a great issue of the peasant revolution or the final collapse and mass-starvation. Any policy that seeks to solve this great crisis in Burma without overthrowing foreign exploitation will only lay new burdens on the peasants, and will only make the crisis go from bad to worse.

My organisation has boycotted the present dyarchical system of government since its introduction to Burma. The utter disregard of the Government to the wishes and aspirations of our poverty-stricken peasants in forcing them to accept the most expensive and irresponsible system of government is the primary cause that has made the masses of Burma revolutionary. The unfair and unlawful taxes, such as the Capitation and Thathameda taxes, unknown to any civilised nation of the modern day, are levied on our poor people, and these taxes are used for the comfort and protection of foreign capitalists and to safeguard their undertaking. Being under such circumstances since our Burmese King was dethroned, the masses are unhappy under the British Rule, which is alien to our interests.

And so, after most careful and anxious deliberations in our annual Conferences, held under the auspices of my General Council of Burmese Associations, we have come to the logical conclusion that independence, and independence alone, will be our ultimate goal.

Our problem is quite simple in itself. There is no question of the States or Princes coming into our case and, unless the Shan Sawbwases are prepared to accept the same conditions as we do and share the same fate with us, we would rather like to keep our problems uncomplicated and simple. But I am sure we will not be able to remain indifferent, if the welfare of the masses of the Shan States is to be sacrificed for the maintenance of the present bourgeois system of government.

The present occasion gives us an opportunity to come to a proper understanding with the representatives of the British Government ; and I, as a representative of the organization whose membership includes the majority of the peasants of Burma, wish to make the point clear that no constitution will be acceptable to Burma unless it places full and complete responsibility in the hands of the masses of Burma.

*Mr. Campagnac :* My Lord, it is my primary duty to address the members of this Conference on the case of the Anglo-Burman community. This community, although small in numbers, has always played an important part in the life of Burma. Most of you, I will assume, know something of the history and record of the Anglo-Indian community in India. I think, however, that many of you are unacquainted with the evolution of the Anglo-Burman race and I propose to give you a very brief sketch of its history in order that you may be the better able to understand its hopes and aspirations and the position it occupies in Burma's life.

As in India, so in Burma, the Portuguese were the first European settlers. About 1540 they established a small colony in Syriam, which is situated on the opposite bank of the Pegu River to Rangoon, where can be seen to this day the ruins of a church and other buildings erected by them. Many of the Portuguese settlers contracted alliances with the women of the country and their descendants and the descendants of Frenchmen, a number of whom came to Burma in the early days and took service under the Burmese King, are still to be found in Burma. By 1825, Pegu, Martaban, Tavoy and Mergui were in the hands of the British, and by a Treaty, concluded with the King of Ava in 1826, Arakan, Tavoy, Tennasserim, Mergui and Moulmein were made over to England. From that time onwards many unions between Englishmen and Burmese women took place, and thus began the evolution of the Anglo-Burman race. So far as these unions were concerned, it must be borne in mind, that, according to Burmese Buddhist law, they were perfectly legal, as under that law when a man and woman live in the same house and are looked upon by their neighbours as man and wife, the law presumes that they are married.

There was this marked difference between the unions of British and Burmese women and the union of British and Indian women ; that whereas an Indian woman who contracted marriage with a European was by reason of the caste systems prohibited from associating or having any intercourse with her Indian relatives, a Burmese woman was not ostracised, but continued to live on terms of intimacy with her Burmese relatives, and frequently interchanged visits with them. Further, in the majority of cases, the Burmese women retained their religion and continued to observe the Buddhist sabbaths and fast days and to visit pagodas and shrines accompanied by their children.

In 1869, when the reconnaissance work for the Rangoon-Prome line was undertaken, and in 1874, when the construction of railways commenced, and again in 1877, when the line was first opened, Anglo-Indians in large numbers were brought over from India and were the pioneers in opening up the railway, telegraph and postal systems in Burma. Many of them also found employment as magistrates and judges and in the Government Secretariat. These Anglo-Indians either married Anglo-Burman girls or selected pure Burmese wives. At the time of the annexation of Upper Burma, Anglo-Burmans played a large part in the pacification of the Province, and their knowledge of the people and the language made them indispensable to the Government. After the annexation in 1885, the English element in the Province rapidly increased, and marriages between English officials and Burmese women became fairly common. The children of these marriages are to be found in the various Government services, and some of them have, in spite of many obstacles, attained very high positions.

More than two-thirds of the volunteer forces in Burma are composed of Anglo-Burmans. At the outbreak of the Great War, large numbers of them volunteered for active service and were found in every branch of His Majesty's forces. They fought at Gallipoli, on the Marne, and in Mesopotamia. The Mobile Battery, which was afterwards called the Volunteer Artillery Battery, contributed a constant flow of recruits to Mesopotamia, and men of this battery took part in the defence of Kut, and were more than once mentioned in despatches for their bravery and valour. They went on firing their guns until they were put out of action by direct hits from the Turkish batteries, and afterwards took part in driving the Turks from trenches, which they had occupied in front of the besieged city, at the point of the bayonet. The Anglo-Burman community owes a debt of gratitude to Christian missions of all denominations who have undertaken the education of the orphans and indigenous children of the community. The community attaches the very greatest importance to the education of its children and to the character and standard of education in what are known as European schools being maintained. In Burma, European education has, since the introduction of the Montagu-Chelmsford Reforms, been a transferred subject. Almost immediately after the introduction of the Reforms, the post of European Inspector of Schools was abolished against the advice of the Education Department.

It is true that the grants to European schools have not been cut by the Legislative Councils. This is due to the fact that no restriction has been placed on the number of non-European pupils who can be admitted to these schools. In India, the percentage of non-European schools was fixed at 15 per cent. by the Code of 1905. But this restriction has either been relaxed or abrogated in most Provinces. In Madras and Bombay, the proportion has been raised to one-third, in the United Provinces, Central Provinces and Berar to 25 per cent. In Burma the percentage is 35·6. The reasons which led to removing the restriction on the numbers of non-Europeans to these schools were, first, the increasing desire of well-to-do Burmans to provide for their children an education different in character from that of the ordinary Anglo-Vernacular schools, and secondly, the hope that European schools might strengthen themselves financially if they were allowed to admit a larger portion of Burmese and Indian pupils. The Anglo-Burman community feel that the total removal of restrictions has been harmful, and that the schools are losing their distinctive character, and will, if this is allowed to go on, satisfy neither Burmans nor Anglo-Burmans. We feel that if the percentage of non-European children is not restricted there is very grave danger of the character of these schools being changed, and that the schools will cease to be useful or attractive either to Anglo-Burman or Burman pupils. The reason why the parents of Burman children desire to send their children to these schools is

because they wish them to obtain a thorough grounding in English and to learn the English mode of life and customs. The removal of the restriction of the number of Asiatic pupils to the European schools has had the effect of lowering the standard of European education. Anglo-Burman pupils have to be kept back to enable the Burman pupils to keep pace with them.

Owing to the growth of education in Burma and the larger number of Burmans who are now receiving a higher education, Anglo-Burmans are finding it increasingly difficult to obtain employment in government service and business houses. Unless the community is given the opportunity of securing an education calculated to enable its members to hold their own with Burmans, there is every likelihood of the community being submerged by the torrent of reforms which threatens to sweep over the Province. We feel, apart from the question of justice, that it would be neither to the interest of Great Britain, nor of Burma, to allow this community to go under. We therefore claim that in the new constitution safeguards should be provided which would ensure that the grants to European schools should not be curtailed and that the character of European education should be maintained.

This brings me to the question of appointments in government service and local bodies. We do not ask that any fixed proportion of appointments should be reserved for members of our community. What we do ask for and claim, is that the right be given to us to compete on equal terms with the sons of the soil for these appointments. All appointments should be filled by competitive examinations, and, where this is not possible, a Public Service Board should be given the power to select candidates.

On the question of representation in the Legislative Council, the Burma Provincial Committee appointed to co-operate with the Indian Statutory Commission recommended that two seats should be reserved for Anglo-Burmans. In the event of it being decided that there should be two Houses of Parliament in Burma, I would ask that two seats should be reserved for the community in the Lower House and one in the Upper. It must be borne in mind that the community is entirely literate, and that the average standard of education of the community is higher than that prevailing among any other community in Burma. Small and severely handicapped as the community is, its members are engaged in a surprising variety of skilled occupations and trades throughout the country. A large proportion of the government appointments in such services as the Judicial, the Telegraphs, the Police, the Customs and Excise are held by Anglo-Burmans. The Anglo-Burman employees are the mainstay of the Railways. To come to activities in more responsible fields, we find Anglo-Burmans holding important administrative posts and satisfactorily filling the position of heads of departments, proving to be efficient lawyers,

doctors, and engineers ; and, where so fortunately placed as to be given the necessary start, building up great businesses in the industrial world.

The question as to how the community is to secure representation in the local legislature is one of great difficulty and may lead to a conflict of opinion among the members of this Conference. It will, I think, be generally agreed that nomination by the Government would be a retrogressive step. The Burmese members, I know, are opposed to communal representation, but I would ask them to satisfy us, if they can, in what other way it would be possible to ensure that Anglo-Burmans who really represent the views of their own community can expect to be elected. Under the present reform scheme an Anglo-Burman can stand as a candidate for election to the Legislative Council in a general constituency. Since the introduction of the Reforms, only two Anglo-Burmans have stood for election in general constituencies. One of these was hopelessly defeated, and I believe secured not more than about forty votes. The other Anglo-Burman was elected ; but, in order to ensure election, he was compelled to join the Home Rule Party and had to take certain oaths in the presence of Burmese monks. You may question it. In using the word "Anglo-Burman," it must be understood that this includes Anglo-Indians and domiciled Europeans.

Coming to the constitutional question, Burmans are united in demanding that Burma should be given the status of a Dominion, and I think that all members of this Conference will agree that this is a very laudable ambition. It may be that some members of this Conference may feel that the time is not ripe, and that Burmans have not yet had sufficient political experience for this demand to be granted now. All, I think, will agree, and it has been so promised by the British Government, that the measure of constitutional advance granted to Burma must not be less than that granted to India. Any constitution which is granted and falls short of Dominion Status must be flexible and should have as its ultimate object, the bestowal of full responsible government in Burma. There can be no doubt that it will be necessary to provide safeguards in the Constitution, but these safeguards should not be of such a nature as to deprive the people of the country of their right to govern themselves. There can be no doubt that British officials in Burma have done a very great deal for the development and advancement of the Province, and I think it will be admitted on all hands, that Burma owes a great debt of gratitude to them. These officials, however, have been, through no fault of their own, but by reason of the constitution under which they have had to work, more or less autocratic in their ways. I feel that Burma will for many years to come still need the assistance of some British officials. These officials, however, should be there, not in the position of

rulers, but more as advisers and it should be their object to instruct and educate Burmans in the art of government, so that they will be able in the shortest time possible to govern themselves completely. I do not think that this time should be long delayed. I have very great faith in young Burma, that is, in the young men and women who are now studying at Universities in Burma and in Great Britain, and in those who have graduated during the last five or six years. These young men and women have been given opportunities which were not possessed by their parents ; from what I have observed, the majority of them have been quick and eager to take advantage of the education which is now within their reach, and they will, I feel confident, be able to hold their own in any sphere of life with the young men and women of other countries. I hope that this Conference will be able to evolve a constitution which will make for the greatest happiness of Burma and her people.

In conclusion, I believe that the Anglo-Burman community will take a greater part in the future of Burma—at least if we assume the principle that Government must keep its faith with separate communities. We live amicably and on terms of mutual trust and respect with our Burman fellow-subjects. We identify ourselves with their social, economic and political aspirations. We seek no preferential treatment, but aspire only to an equal partnership. As a minor community we cannot guide but must follow the fortunes of the country. These fortunes are at present changing, and, before they reach their final stage, must pass, as the poet says, through great varieties of untried being. But through all these changes the community can be relied upon to co-operate and work whole-heartedly, as it has always done, for the peace and welfare of all. In return we look to Great Britain, whose interests we have fostered and fought for, and to the Burmese Nation, with whose aspirations we have always sympathised, to safeguard our rights and privileges and to give us the opportunities we need to maintain a dignity of status consistent with the great part we have played in founding and consolidating the British Empire in Burma.

*Mr. Cowasjee.* My Lord, Indians have settled in Burma for generations and have contributed very largely to the general progress and economic development of the Province. The population of Indians in Burma according to the last census is 1,340,000 odd. The financial and economic interests of Indians in Burma are considerable, and Indian capital, Indian enterprise and Indian labour have very largely contributed towards the development of the Province of Burma and Burmese agriculture, trade and industries. Had it not been for Indian enterprise, capital and labour, Burma would not have been what it is.

So far as local industries, the internal trade and agriculture are concerned, almost the whole of the finances have been advanced by Indians. Indians have also a very large share in the industrial

activities of the Province, and in fact, those industrial concerns in Burma which are not purely British have been controlled by Indians. The share of Indians in the inter-provincial and the export and import trade of the Province is also very large.

Indian labour has played a very important part in the development of the Province. It has been admitted by Government over and over again that Indian labour has only supplemented, and not replaced, Burmese labour, which until recently was entirely unavailable except for certain agricultural purposes.

Indians have also invested their capital and their savings in the purchase of landed property in all parts of Burma and it is significant to note that most of the properties in the town of Rangoon, the capital of Burma, is owned by Indians, who contribute towards the municipal taxation of the Corporation of Rangoon more than sixty per cent. of the total taxes collected. The banking business of Burma is mainly, if not entirely, Indian, and had it not been for the enterprise of the Nottu Kottai Chettiaras of South India it would not have been possible for Burma to carry on its agricultural or industrial operations. The Indian Chettiaras have been carrying on business in the Province for over 70 years—almost a century. The present agricultural growth of Burma is due to a very great extent to the operations of these Chettiaras, who have been lending money to the Burmese cultivators at all seasons of the year to facilitate agricultural operations at rates of interest recognised as reasonable and, according to the recent report of the Burma Banking Enquiry Committee, less than those charged by others.

Sir Harcourt Butler, who was the Governor of Burma on two different occasions, addressing a meeting of the Chettiar Association on the 7th December, 1927, said as follows :—

“ You, Gentlemen, have gradually and carefully built up a remarkable system of banking throughout the Province, the ramifications of which are known to very few except those who have taken the trouble to make a real study of the question. Without the assistance of the Chettyar banking system, Burma would never have achieved the wonderful advance of the last 25–30 years. The Chettyars provide the necessary finance to the agriculturists in practically every village throughout the Province, and while enabling the Burman greatly to increase his production, they have at the same time undoubtedly inculcated ideas of thrift and economy by their insistence on regular repayments as regards both the principal and interest. The Burman to-day is a much wealthier man than he was 25 years ago and for this state of affairs the Chettyar deserves his share of thanks. Your interest in the Province and your desire to help it forward has often been shown by your public spirited actions, not the least of which is your recent donation

of a lakh of rupees to the Rangoon University Endowment Fund. Those who know you best and whose dealings bring them into daily contact with you have told me how deeply they appreciate your high standard of integrity, and I feel confident that whatever future developments of banking may do for Burma, the Chettyar will always hold his own and prove himself in the years to come, as he has done in the past, the real backbone of the banking system throughout the Province."

My Lord, the investments of the Chettiar community in the way of loans in Burma exceed 100 crores of rupees annually, and the bulk of this capital is money belonging to the proprietors of the Chettiar firms residing in the southern part of India. From the point of view of general trade it must be borne in mind that it is not possible for the British firms to carry on their business in Burma without the assistance of Indian merchants and traders, to act as middlemen and large retail dealers between the British importing firms and the ultimate purchasers, firms or individuals to whom the British importing firms sell goods every year on credit to the extent of lakhs of rupees, relying solely on their integrity and business capabilities.

There is the further fact that large numbers of Indians have settled down in Burma ; some of them are the issues of the third generation of the original settlers, and they have now made Burma their home, and have no link or connection with India in any shape or form.

The Indian community of Burma therefore asks that it shall have adequate and effective representation in the Legislative Council and the executive appointments ; that it shall have adequate representation in the public services of the country, and that the constitution of Burma shall be such as to prevent any majority community from abusing their legislative power with a view to enacting laws which would create discrimination between one citizen and another.

The Indians in Burma are just as anxious as the Burmans themselves to see that Burma progresses to that goal which has already been announced by His Majesty's Government, and we shall always feel it our duty to lend our support as far as possible so that self-governing Burma may come into being. The basic principle of self-government is that the government of a country both on the executive and on the legislative side, must be truly representative of the people of the country, and it must therefore follow that the constitution we are called upon to frame will be truly representative of the various communities residing in the Province.

*Sir O. de Glanville :* My Lord, the purpose for which we have been invited to this Conference is to endeavour to agree upon a constitution for Burma if separated from India. There has been in Burma a good deal of misunderstanding and a good deal of

misrepresentation as to the constitution that Burma will attain if separated. There has been a good deal of mistrust of the intentions of the British Government in convening us, and I should like, if I possibly can, to remove any misunderstanding that does exist. Unfortunately, this feeling has, I know, been freely expressed in Burma, and I fear is not entirely absent from the minds of some of those present here to-day. I may say at once we have none of us come here to frame an inferior constitution, and I do not think that we will.

When the Statutory Commission which visited Burma made its Report, as it recommended the separation of Burma, it made no suggestions as to the future constitution of Burma. The local Government of Burma made it perfectly clear, however, in their Despatch, which is printed and attached to the Proceedings of the Indian Conference, that they could not possibly agree that the pledges which had been given to India should not apply to Burma when separated. That point has been admitted and conceded by the British Government, and I think it is now an established and admitted fact that all pledges for constitutional advancement which have been given in the past to India apply with equal and full force to Burma. That was again made clear by the Secretary of State in January last. Notwithstanding that, doubts have been expressed, and we have been told that we will get only an inferior constitution and we shall be treated as a Crown Colony.

Now, a pronouncement was made yesterday by the Prime Minister which I think ought to remove all fears and all doubts. I take that pronouncement, My Lord, although it was made to the Indian Conference, as applying equally to Burma, and with your permission, I would like to read—it is very short—what I consider the most important part of it, leaving out, of course, the part that applies only and exclusively to India.

It repeats pledges that have been given in the past.

The Prime Minister said :—

“ At the beginning of the year I made a declaration of the policy of the then Government, and I am authorised by the present one to give you and India ”—

for that I take it we may substitute “ Burma ”,

“ —a specific assurance that it remains their policy. I shall repeat the salient sentences of that declaration :—‘ The view of His Majesty’s Government is that responsibility for the government of—Burma—shall be placed upon Legislatures with such provisions as may be necessary to guarantee during a period of transition the observance of certain obligations, and to meet other special circumstances, and also with such guarantees as are required by minorities to protect their political liberties and rights. In such statutory safeguards as may be made for meeting the needs of the transition period it will be a primary concern of His Majesty’s Government.

to see that the reserved powers are so framed and exercised as not to prejudice the advance of—Burma—through the new constitution to full responsibility for her own government.’’

Now, My Lord, that pledge, I take it, applies equally to Burma as it was yesterday given to India. Accepting that as I do, I feel that nothing could be more satisfactory ; that it ought to be accepted by everyone at this Conference and everyone in Burma ; and that it ought to remove any fear that we are called here to frame an inferior constitution.

The question of the constitution is one of some difficulty, but what we all desire is a constitution which will enable us to attain complete responsible self-government. It is to devise such a constitution that we are assembled ; and, My Lord, if that fact is admitted, the main point for us to consider is what are the essential safeguards. If we are agreed on those, I understand the pledge of the British Government is that it will give us such a constitution.

In speaking to-day on the constitution I am speaking, My Lord, as Leader of the Independent Party in the Council of Burma, and I am also speaking to some extent as one of the European representatives, as I have the honour to be their elected representative in the Council in Burma. The other two Europeans represent more commerce and industry, but with me they represent the whole of the European community. The European community and the Independent Party have every sympathy with the aspirations of the Burmese to attain responsible self-government, and I can assure them that there will be no opposition from any of us ; that we will help them in this Conference, and we will help them in the new constitution of the future to attain the goal to which they aspire.

Now, My Lord, the only points that I want to raise on behalf of the European community are on the question of safeguards. What we want has always been clear. I cannot put it, I think, more clearly than it has been put in paragraph 18 of the Fourth Report of the Federal Structure Committee (R.T.C. 22). The recommendation of that Committee is as follows :—

“ The Committee are of opinion that no subject of the Crown who may be ordinarily resident or carrying on trade or business in British India ”—

for that we may substitute “ Burma ”—

“ should be subjected to any disability or discrimination, legislative or administrative, by reason of his race, descent, religion or place of birth, in respect of taxation, the holding of property, the carrying on of any profession, trade or business, or in respect of residence or travel. The expression ‘ subject ’ must here be understood as including firms, companies and corporations carrying on business as well as private individuals.”

That, My Lord, is what we claim—no more, no less. We ask for the Europeans—that is British people from England and Europe—the same rights in Burma as the Burman enjoys in England ; and I do not think that there can be or will be, between ourselves and the representatives of the indigenous races of Burma, any serious difference of opinion on that point.

The second point that we want is due representation in the Legislature. We have it now, and we wish to have it in the new constitution. It is true that there are differences of opinion as to the method by which we should obtain that representation. At present we obtain it by a separate electorate, with only one member—myself—and we have two members from the Burma Chamber of Commerce who may or may not be Europeans. But I am not going into details. In the new constitution we want representation. The extent of that representation and the method of obtaining it are matters that will be discussed in the committee stage, and I do not, therefore, propose to deal further with them to-day.

As regards the other members of the Independent Party, which is composed not only of Europeans but of Indians, Burmans, Karens and others, they have their special representatives here, who will represent to the Conference what they want in the way of safeguards, and I do not propose at this stage to anticipate them ; but I rely on the attitude that has been taken by the British Government that, whatever constitution we get, it must contain such safeguards as may be necessary for the protection of all those minorities.

I understand, My Lord, and I understand with pleasure, from what I have heard to-day, that there is no question on the part of the Burma Delegates themselves of contesting that position or of refusing safeguards. As I have said, that is a contentious point on which I do not wish to touch to-day. As regards Europeans, we want representation ; how to get it I will discuss later. At present we get it by a separate electorate. The minority representatives will put forward their own cases specifically, and I do not therefore propose to speak further about them.

As regards the constitution of the future, I would like to say a few words. We all know what we hope will be the outcome of the present Conference with regard to an agreement on that matter, but nothing so far has been said to-day as to the nature of it, except that one speaker, I think, mentioned something about the Irish Free State, but that is somewhat vague. We ought to have a constitution with safeguards which will enable us, without further legislation or Round Table Conferences or Statutory Commissions, gradually to attain full responsible self-government. I take it that full responsible self-government will be attained by the gradual falling into disuse of reserve powers which may be in the Governor or the Minister or the Secretary of State. By the gradually falling into disuse of these powers, the constitution would evolve. That is the way the English

Parliament has grown, it has been a gradual growth, and ours must be gradual also. It is admitted on all hands that there must be a transitional period. The length of that period must depend upon ourselves, and when I say "ourselves" I mean the people of Burma.

Dyarchy was admittedly an experiment, and it is admitted by all of us, and by everybody in Burma, that it has not been a success. We do not desire the perpetuation of dyarchy. A constitution which is built on a dyarchy model would not be acceptable to any party in Burma.

If there are to be reserved subjects, let them be reserved, but it is a position that we do not like that there should be in the Council of the future Members and Ministers not responsible to the Legislature. The constitution that I look for in the future will be one in which there are no councillors, but Ministers responsible to the Council and Ministers with joint responsibility. That, I think, is the only method by which we can progress towards our common goal.

There must be, of course, during the transitional period reserve powers. The nature and the extent of those will be discussed in the Committee; but, accepting the pledge of the Prime Minister yesterday, the main feature of our constitution must be a Legislature with Ministers responsible to that Legislature, and I am prepared whole-heartedly to support the Burmese members of the Conference in asking for that.

There is one question, my Lord, which has greatly exercised the European community, the Indian community and the Burmese themselves, and that is the question of Law and Order. We must, if we are to avoid dyarchy, agree that Law and Order shall be a transferred subject and come under the Council, with one of the Ministers at the head of it. From the initiation of the Reforms, Law and Order has been in charge of a Burmese Member. The first Burmese Member, Sir Maung Kin, died; he was succeeded by Mr. May Oung, and the present Home Member in charge of law and order is Sir Joseph Maung Gyi, who for some time acted as Governor of Burma; and from the experience, My Lord, that we have of nine years of Law and Order in charge of a Burmese Member, we have no fear that it will be mal-administered in the future if a Burman is in charge of it. At the same time, however, we all recognise that there are dangers and that there must be some power reserved in someone to be used in case of emergency and in case things go wrong. With proper safeguards, no one will hesitate to agree to the transfer; I do not think there are any dissentients on that point amongst the Delegation. The nature of those safeguards, of course, is a matter for discussion in Committee, but the maintenance of law and order is of such vital importance to everybody who lives in Burma, from the lowest to the highest, that

we cannot exercise too much care and caution, in giving power, to guard against any possibility of that power being abused.

I will not, My Lord, at this stage, take up more of the time of the Conference, but before concluding I should like to say that the limited success of dyarchy has been due to a very large extent to the most loyal co-operation of that much abused individual, the Indian Civil Servant, who has so loyally carried out the wishes of Government and has so cheerfully yielded up his own power and helped Burmans to exercise it.

There is just one point on which I did not intend to speak, but I am going to speak on it very briefly, in consequence of things that have been said to-day. You have had certain statements made about the rebellion. I do not think this is the right place to enter into a discussion on that, and I do not propose to do so ; but I must say that I cannot accept some of the statements that have been made, because I do not think they correctly represent the facts. I do not propose to go into them, but I do not want it to be said that silence means consent.

In conclusion, I would repeat that we have the utmost sympathy with the aspirations of the Burmans. We will help them to the utmost extent of our power, and I hope and believe that we shall be aided by the British Delegation in evolving a constitution which, although it may not bring money and peace and prosperity, will at least be a constitution which will be accepted by everyone.

*Mr. Wardlaw-Milne :* My Lord, I do not rise to make a full speech on this occasion, and I had no intention of intervening at this point. I only rise because of what has fallen from Sir Oscar de Glanville. It is not my business, and I have no mandate to defend the Prime Minister or the Government—far from it ; but I am bound to say that I do not think it would be right or fair that we should allow what has just been said to pass without notice. I cannot agree that in anything I have read in the newspapers to-day, or in the statement made by the Prime Minister at the Indian Round Table Conference, we have a right to read into it that every word of that applies to Burma. To my mind the statement is very definitely made regarding India ; and, however much we may hope and believe that a superior—or alternatively we may fear an inferior—constitution may be the result, I do not think we have any right to suggest that the Prime Minister's statement in effect gives a promise in regard to Burma at all.

The statement in regard to Burma was very clearly set out by the Government in the House of Commons on the 20th January, when the Secretary of State of that time said :—

“ The Government wish it to be understood that the prospects of constitutional advance held out to Burma apart from British India will not be prejudiced by this decision.”

That is the decision to set up the Conference.

" And that the constitutional objective after separation will remain the progressive realisation of responsible government in Burma as an integral part of the Empire. In pursuance of this decision they intend to take such steps towards the framing, in consultation with public opinion in Burma, of a new Constitution as may be found most convenient and expeditious, their object being that the new Constitutions for India and Burma should come into force as near as possible simultaneously."

Then, again, on the 21st August a *communiqué* was issued in which it is stated that the Government will invite representatives of the interests of Burma to meet representatives of the Government and other parties for the purpose of seeking the greatest measure of agreement regarding the future Constitution of Burma. I think it is on these statements that we must base the position of the Government to-day ; and I think it would be wrong, if I may say so with very great respect, to read into anything which was said yesterday, a promise in regard to Burma in words which were not stated in that declaration. As I say, I am not in any way here to defend either the Government or the Prime Minister, but I think we should be starting on a wrong basis if we assumed that words that were said yesterday definitely referred to Burma when Burma was not mentioned at all.

I only repeat, as I said when I got up, that I did not get up to make any speech. That had already been arranged. I have already arranged with my senior colleague, Lord Winterton, that he will give his own, and, I am quite sure, my views in this preliminary Session ; but I did want to make it perfectly clear that I think the Conference would go wrong if we started on that basis. I think, with great respect, that Sir Oscar de Glanville has misunderstood the words of yesterday's declaration. I want to make it perfectly clear that that does not mean that I think necessarily what the Government have in mind is an inferior constitution. Not at all. It may be inferior, it may be superior. It is merely that no decision has been come to on that matter. That decision is left to this Conference to put forward, and the Government's decision will only be put before Parliament after they have the opinion of this Conference, and that Conference may produce some totally different constitution from that which has been suggested in the case of India.

As I understand the position, the Government at this moment, and certainly Parliament, are in no way committed to any form of constitution regarding Burma ; and, speaking for myself, and I have no doubt for other members of Parliament who are here, I may say that we have an absolutely open mind on the whole subject, and have come here with the idea that we shall evolve, in consultation with you, a constitution which the Government will be able to place before Parliament and which we shall be able to support there.

I think it would be the greatest mistake if we started with the idea that any very definite promise which was made at the conclusion of the Indian Round Table Conference necessarily applies to Burma; but again I would say it leaves us an absolutely free and open hand to produce something superior or inferior, more suited to Burma and perhaps totally unsuited to India. We have an absolutely free hand in the whole matter.

*Miss May Oung* : My Lord, as representative of the women of Burma, I desire to make a short statement about the position of Burmese women, mainly for the benefit of those members of the Conference who have not been in Burma.

From time immemorial we women of Burma have held a high position in the social, economic and political life of our country. I do not desire to trace the cause of this high position that we hold in Burma, but I would like just to say that I think that we women in Burma enjoy this position, partly because we originally came from Tibet, where the matriarchal system exists, and because we in Burma, after leaving Tibet, have evolved a social life where the women do not rule entirely, but where we manage to have a perfect balance between the sexes.

In Burma we have always been treated as individuals, as members of the human race. We have our own rights and our own duties to perform. We contribute our own share to the general progress of the country. We do not desire to be made a special interest, nor do we wish to be classed with the children. In our social life we have perfect freedom, though it is not the same as the freedom enjoyed by the women of the West. We inherit equally with our brothers, and we have rights to our own property. Marriage in Burma is a civil contract, and I think that in no other country in the world do a man and his wife live in such equal partnership as in Burma. We work together, we hold property together, we discuss every social interest together, as men and women. When the dissolution of marriage comes, again, we have the same conditions as in the dissolution of a contract.

History has shown us examples of women who have taken part as law-givers, as judges, as writers, as administrators, and as great philosophers. In the economic life of our country there is no sex discrimination. We take part in commercial and agricultural pursuits, and in the new professions that have been introduced after our contact with the West there is an open door for women. As we qualify ourselves so we are allowed to enter the professions.

In the political life we have both the active and the passive vote. We have the same suffrage as men, except in places where the suffrage is based on the capitation tax, which tax is paid by men only. We have co-operated with our men in the national movement, and we have suffered together with them. That is true of all the parties of Burma. We desire to have the same rights

and to bear the same responsibilities as the men. Some of those rights already mentioned are given us by the Burman Buddhist law, and are enjoyed by the Burman Buddhist women. Since the contact with other countries we have had an influx of foreigners, and consequently, as the Buddhist law offers no obstacle, we have had numbers of mixed marriages. As a result of these, our women have lost their status as Burman Buddhist women, and have lost certain of their rights. We desire to have the rights of which I have spoken, not purely as Burman Buddhist women, but as women of Burma. We think we are entitled to the same rights as men, simply as women living in Burma, not as women who are married to Burman Buddhists or are Burman Buddhists by birth, or with any such qualification. Therefore to retain our self-respect, and the respect of other peoples, we wish to accept the same responsibilities and the same rights as the men, and the constitution that is to be framed will be acceptable to us only if it contains a clause giving equal rights to men and women.

*Mr. Haji :* My Lord, I consider myself rather fortunate in that I have the opportunity of addressing this Conference after two such informing speeches as have just been delivered. Miss May Oung has very eloquently put forward what she demands on behalf of the women of Burma.

The preceding speaker, Mr. Wardlaw-Milne, made quite clear what he understood to be the position of the future constitution of Burma which we are now assembled to consider, and I think this Conference is fortunate in having the opportunity of knowing how far the commitments of the British Government, or of the Prime Minister of Great Britain, go in the matter of the constitutional growth of Burma. If we had been discussing this point and making our general remarks without the benefit of having heard this speech, if we had been led—perhaps misled—by the rosy picture drawn by the leader of the Independent Party in Burma, the lines which the different speakers would have followed would probably have been very similar. Now, however, we have had, if not a positive statement of the mind of the Government, at least certainly a positive statement of the minds of certain leading members of the British Parliament who I know—we all know—exercise no small influence over the deliberations of the Cabinet, that the promises made to India do not automatically apply to Burma. The statement made yesterday was, we are told, on the high authority of the gentleman who I believe is Chairman of the Indian Committee in the House of Commons, Mr. Wardlaw-Milne, not one which applies to Burma.

I am myself going to make that clear, if I may. Of course, he made it quite clear that Burma might get a constitution immensely superior to the one promised to India; it might be that it might get a constitution slightly inferior to that proposed to be arranged

for India ; I dare say that it might be possible, though I do not quite see how, that Burma might get a constitution equal to that of India. I think that is difficult, because the future Indian Constitution, as we all know, is going to be based on the foundations of a federation, and I have not come across any intention on the part of Burmese politicians to have in Burma, a federation of the type intended to be set up for India.

Anyhow, My Lord, I am glad that we shall henceforth be carrying on our deliberations in an atmosphere quite clear, knowing exactly what we are in for. It is all to the good, because we now know how to proceed. As a matter of fact, this Burma Conference is privileged to discuss the question of Burma in an atmosphere more propitious than the one in which the Burma question was discussed last year. On that occasion, as we all know—and a large number of us grumbled—important sections of Burmese political opinion were excluded from participation and various other important sections remained totally unrepresented. The discussions in the Plenary Sessions of that Conference, so far as they referred to Burma, were perfunctory. The work in the Burma sub-Committee, if I may say so, lacked comprehensiveness, and the Conference was on the point of adopting far-reaching decisions without adequate consideration of the grave consequences likely to emerge therefrom. As against that, My Lord, we are, as I said before, meeting under more happy auspices to-day.

Only this morning, My Lord, you were good enough, if I understood you rightly, to make it clear that the decisions of this Conference will, in due course, be coming up for final judgment by all parties and interests concerned. I take that to mean, that between the results of our Conference and the stage at which His Majesty's Government will introduce relative legislation there will be opportunities provided to the people of Burma to sit in judgment upon our deliberations. I do hope that the gentlemen on this side of the House will appreciate that if there is going to be an opportunity for the people of Burma to sit in judgment over our deliberations, I am afraid it will be too early to call upon the British Government to give Burma a new constitution functioning from the 1st April, 1932.

Further, My Lord, in that connection I would like to make one request to the Right Honourable gentleman on your right. Earl Winterton this morning stated—I hope I have not misunderstood him—that he was going to take a very early opportunity—I think he said perhaps even to-day or to-morrow in the course of the Indian debate—to get a statement from His Majesty's Government as to what were their intentions with regard to Burma, and that he was going to try and get them to agree with his view that legislation should be immediately taken in hand as soon as our deliberations were over. He threatened this morning to ask that

question. After having listened to the statement which you, My Lord, were good enough to make, I hope he will do no such thing. Such a question coming from a gentleman of his position and coming from a member of the British Delegation to this Conference would embarrass the Government, because it would force them to take a decision, unless, of course, they deal with it in the usual way in reply, and that, I am sure, the Right Honourable gentleman would not want. It would embarrass them into agreeing to a position about Burma as to which, I think they should have the decisions of this Conference before finally making up their minds.

I am afraid I have not made myself quite clear. There is to my mind a fundamental inconsistency between the position as we have understood it from you, My Lord, and the position which Earl Winterton proposed to place the British Government in this morning. You, My Lord, were good enough to say this, and I think it tallies with the declared wishes of Government, as published, I believe, in the official *communiqué*. I believe it is the intention of the Government to get the wishes of the people of Burma on whatever we deliberate about here and on our conclusions. But if Earl Winterton, by a clever query, succeeded in getting a commitment from the Government that they will legislate immediately the conclusions are arrived at by this Conference, that together with the demand put forward this morning by my friends that they would like to have the constitution functioning by 1st April, 1932—the two things combined together might rush matters in a way which I am sure it is not the desire of the gentlemen on this side to rush them so far as the constitutional advance of Burma is concerned. Anyhow, My Lord, it is, as I said before, most fortunate that the Burman question is being discussed to-day under the hospitable roof of St. James's Palace in a manner utterly different from and far superior to the way in which it was discussed last year.

The convening of this Conference, therefore, is in a sense doubly welcome to us, because it affords an opportunity of considering the future constitutional growth of Burma in a manner becoming its importance and around a table at which are represented all sections entitled to speak on behalf of the people of Burma—a condition lamentably lacking last time. We can now, therefore, proceed to evolve a constitution suitable to Burma untrammelled by past commitments and, I hope, uninfluenced by the hasty conclusions of the Burma sub-Committee. In doing so, I need hardly assure my fellow-Delegates at this Conference that our section, representing Burma Indians, is going to examine all the various subjects that will come up for discussion from the same nationalist standpoint that I know they will be urging at the later stages of the Conference.

Perhaps at this stage I may be permitted to make clear our position, or perhaps to remove a misunderstanding. We, the Indian section on this side of this Conference, represent not merely

Indian commerce and Indian industrial capital and labour, but also—and that is not the least important section of it—we represent the Indian community in Burma, a community indigenous to the soil, the same as the rest, a community composed of men with, in many cases, no ties whatsoever in or with India, men for whom Burma has been a homeland, men whom Burma has reared, men for whom, when they are no more, Burma, I know, will provide an everlasting resting place. I, My Lord, speaking on behalf of these various sections of the Indian community, would like to reiterate what my friend Mr. Cowasjee mentioned this morning—namely, that we are prepared to join our Burmese friends in their demand for the immediate realisation of complete self-government for Burma, maybe as a separate unit in the British Commonwealth, but not on the basis of an inferior constitution to that of India—or maybe as an autonomous member of the Indian Federation, but in either case resting upon a structure designed in the best interests of Burma and of Burma alone.

At this point, with your permission, I would like to make clear my views about one or two statements that I came across in the statement read out this morning by U Ba Pe.

It is stated in one place that, as a result of British occupation, labour immigration occurred, that the labour immigrants had a lower standard of living, and in consequence they “drove us out of the labour market.” I do not say that I want to challenge that statement, but before accepting it fully, I would very much like to have proofs, which I dare say will be forthcoming, as to what particular section of the labour market it was from which the immigrant labour ousted the indigenous labour of Burma. U Ba Pe proceeded to say “other immigrants arrived with capital and trading experience, and, having the lead of us, were able to establish themselves to our detriment.” This sentence would doubtless apply to the British and the Indian traders. I do not know what my British colleagues would say, but so far as we are concerned, our position has always been—though there may be opposite views—that Indian trade and commerce have always reacted to the advantage of Burma. I feel that unless definite proofs are forthcoming I cannot allow, on behalf of the Indian community, such statements to remain on record without challenging them, though I am prepared to consider more information and proofs if any are forthcoming.

Then there is one other small point to which I would like to refer. There is a sense of humour in this point, but I will take it as seriously as I can. The statement I have quoted was made on behalf of the majority, and yet it says “There is no communal strife in Burma, and no minority problem.”

I am merely drawing your attention to these facts with a view to clearing the air. As my friend Sir Oscar de Glanville pointed out,

there are interests other than those of the indigenous populations. In the indigenous populations I include those Indians who are indigenous to the soil, but in addition there are also Indian traders who come over to Burma from India and are in a position similar to that occupied by our British colleagues, and to whose position in the future we shall have to devote some time and consideration before our final conclusions are reached.

So much with regard to the statement to which I am sure we all listened with great interest this morning.

I stated just now that we Indians had an economic interest in Burma, as also a political interest in so far as some of us were indigenous to the soil. If we build the future Constitution of Burma from this dual point of view, namely, the economic and political life of the nation, and try to reach adjustments in that way, I am sure we shall arrive at results that will be satisfactory to all parties concerned.

My Lord, in our consideration of the constitutional future of Burma we shall have to bear in mind, and it is not at all unusual at the present stage of political thought to bear in mind, the fact that an autonomous nation-state of to-day is not merely a political structure, but is also a living economic organism. The modern conception of a State views the country in its dual aspects of a political and an economic organisation. The point, therefore, need not be stressed by me that in formulating our plans for the future due regard will have to be paid to the relative importance of those two factors in the future growth of Burma.

This aspect of the question, My Lord, is in the case of Burma slightly complicated by the fact that the country provides an example wherein conciliation and adjustments will be necessary for the lasting benefit of its various sections and interests. Majorities will have to be protected along with the minorities, and the interests of the capitalists and the landlords will have to be co-ordinated with those of the workers and the peasants. The task is doubtless formidable, and would perhaps have been difficult of achievement but for the immense material that has been provided by the framers of the constitutions of those modern States that have arisen out of the old Empires that crumbled to dust in the Great War. Fortunately, examples are not wanting now of cases where both the majorities and the minorities have accommodated themselves in the best interests of the country at large. In a properly balanced modern constitution the majority does not regard the minority as an obstacle to be got rid of, nor does the minority forget its sacred duty of subordinating its sectional claims to the vital interests of the country as a whole.

Let us then march forward, bearing in mind the achievements of the new constitutions of the modern European States of to-day, and proceed to evolve for Burma a constitution which will be acceptable

to all sections of the community, a constitution as rich in details and as harmonious in colours as the fair land it is intended to serve.

*Mr. Loo-Nee :* My Lord, our thanks are due, and we hereby offer them, to His Majesty's Government for having selected my colleague Sra Shwe Ba and myself as Karen Delegates to the Burma Round Table Conference on the advice of His Excellency the Viceroy and His Excellency the Governor of Burma. In representing our people, the Karens, here in what His Royal Highness the Prince of Wales rightly calls "the Capital City of the Empire," we have only one regret, and that is that, even forgetting the not-distant past when in the representation of Burma at the first Indian Round Table Conference the Karens were entirely overlooked, in this Conference, My Lord, we feel that it is regrettable that there are only two of us. With one or two more we feel that we should be able to do better work. Before I put the Karen case before this meeting in tabloid form, may I ask—I had almost said urge—that we meet now and henceforth in this Palace till our duty terminates in a spirit of friendliness, allowing no room or place for suspicion, distrust or misapprehension.

According to the Mandate given to us by our people, the Karens, we are to ask for the following at this Conference :—

- (1) The separation of Burma from India.
- (2) Full responsible Government as quickly as possible, or a constitution not inferior to that to be given to India as a whole.
- (3) There is no desire to federate with India, but we would welcome with great joy the federation of the different indigenous races of Burma—the Burmese, Karens, Kachins, Chins and Shans—welded into one solid nation.
- (4) No control by the Indian Central Government.
- (5) No discrimination on racial or religious grounds.
- (6) Representation on public bodies and in public services.
- (7) A representative for each of the districts in Lower Burma
- (8) Special Karen electorates.
- (9) Sanction in the very near future for the creation of a Karen regiment, taking the Burma Rifles as the nucleus; because the defence of our mother country Burma is an imperative duty.

In this connection we quote the pertinent words of a former Commissioner of the Irrawaddy Division, who understood the Karens so well that he could even speak the Karen language. His observation was this : "It is pleasing to know that the Karens have come forward loyally during the late great war and have furnished more men in proportion to their numbers." I believe I can say that the truth of this assertion can be verified by Sir Samuel Smyth who

is with us and who himself was a Commissioner of the aforesaid Irrawaddy Division and won the esteem and high regard of the Karens of that Division.

(10) Safeguards in the new constitution for Burma. In amplification of this last head it is respectfully submitted that there should be a provision in the Constitution for the protection of the Karens both in the administration and in the Legislature, with a reservation of power of interference reposing in the Governor to set right inequalities and remedy injustice.

Finally, we ask that the constitution for Burma be so framed as to enable the Karens to obtain their rightful place and share in the administration of the country.

My Lord, a few words more and I resume my seat. I have spoken—and my colleague speaks with me—I have spoken without fear, favour or discrimination. We are sensible that some of our viewpoints do not please in all quarters ; but this is not a strange matter, because some of the points of view arrayed before this Conference may not draw forth our approbation. My colleague and I are out here not to please anybody—not even ourselves. Our business is to state the Karen Case, and we have, we trust, stated our case tersely and acceptably. Let me say this with due deliberation : what I have spoken I have spoken calmly and fearlessly, and I speak with frankness and sincerity. Did we do otherwise we should be utterly unworthy of the trust which has been firmly reposed in us.

My Lord, I have stated the Karen Case. It only remains for me to express our thanks for Your Lordship's patient hearing, and our appreciation of the courtesy of attention from the Conference as a whole.

*The Sawbwa of Hsipaw :* My Lord, it is as well that the Federated Shan States should define their position at this Conference as early as possible. First and foremost, it should be clearly stated that the Shan States desire to retain their separate entity. The aspirations of the Federated Shan States were expressed in a memorandum submitted to His Majesty's Secretary of State for India last year, and the Burmese members of the Conference are cognisant of them, and to those who have not got a copy I can give copies later. Knowing our ideals, we trust that the Delegates from Burma, at the moment of the fulfilment of their own aims, will extend to us their deepest sympathy and their strongest support. Our future relationship with the new Burma will, it is our hope and trust, remain one of friendliness and goodwill. Our common interests and the interests of the Empire as a whole demand that we should work hand in hand. There may be points arising at a later stage that will require the common consideration of both Shans and Burmans as far as their mutual relationship is concerned ; but the internal and

domestic affairs of the Shan States are a matter in our opinion, and with the concurrence of this Conference, that should be dealt with by His Majesty's Secretary of State.

*Mr. Harper :* My Lord, I think it was fortunate in the sequel that we started our discussions this morning by exposing our differences on the subject of the separation of Burma from India, for I think it very soon became clear that, as Major Graham Pole pointed out, there is really ultimately little difference amongst us. As I understand it, we are all prepared to contemplate the separation of Burma from India, but we are not all agreed yet upon the conditions which should accompany separation.

That, after all, is what we are here to discuss, and I should like to say, speaking for Mr. Howison and myself, that we feel it a great privilege to sit with our friends around this table and join with them in our common task, all the time, as Tharrawaddy U Pu said last Friday, bearing in our minds the larger interests of the nation. I hope I shall find myself always as completely in agreement with Tharrawaddy U Pu as I am with that last sentence of his first speech. When I say that we are glad of the privilege of working here in the best interests of Burma, I am speaking with no reserve, and I am claiming no altruistic virtue. I am merely repeating what has so often been said in Burma by responsible Europeans that our aim is to see a contented, prosperous and wisely governed Burma. We believe in Burma and in its future. We believe that Burma is capable of extensive development in many directions, and we believe that there will always be room and need in Burma for Burmans, British, Indians, and other subjects of His Majesty living and working harmoniously side by side.

Perhaps I should say now, speaking as one of those Europeans who spend, as in many cases our fathers have spent before us, the greater part of our active lives in Burma, that we concede to no one, not even to our Burmese friends around this table, the monopoly of interpreting and caring for the interests of the Burmese people. We have heard claims, and we shall no doubt hear them again, from one political party or another represented here, that it speaks for some majority proportion of the population of Burma. I would only say to them that there is a large proportion of people in Burma not attached to the particular nostrum of any of those parties. All that they ask is to be allowed to live in peace under a just government, a government that is accessible to, and sympathetic with the people, careful of their interests, appreciative of their difficulties, and ready at all times to act constitutionally for their welfare. That also is true of the community which I have the honour to represent here, and that will be the test which we shall apply to any proposals which may be made in the course of this Conference. Our community's attitude towards our own interests may be put quite shortly and simply. I listened this morning with close attention to

the claims made by Mr. Cowasjee and Mr. Campagnac as to the great services rendered by their communities to Burma and its development. I feel sure that no one will for a moment seek to deny that those services have indeed been very great, just as I feel no Delegate here would deny the great part that has been played by the British commercial community and by British capital in the same direction ; a part which has brought with it the benefit of employment, wages, spending power, and large contributions to the government exchequer.

I am not going to follow that recital of our virtues by claiming any privileged position in Burma. We do not ask for any privileged position. We desire to continue to be as free as the Burmans themselves to come and go and exercise our vocations and professions in Burma. We desire to preserve our political rights, and to share the responsibilities of representation in the councils. In fact I follow entirely Sir Oscar de Glanville—not entirely in everything, in what he said for instance about the transfer of law and order—on that I must reserve my opinion—but I follow him in endorsing entirely the opinions expressed in paragraph 18 of the Report of the Federal Structure Committee of the other Conference which he read to us. Given that security, you will find none readier than the British commercial and professional community to help Burma along the road to the realisation of its national destiny within the British Empire.

You, My Lord, this morning reminded us of how we came to be here at all, how we are here in pursuance of a declaration by His Majesty's Government as declared at the first Indian Round Table Conference. For the earlier history of events leading up to that Conference I need not here go further back than the famous Declaration of 1917 and the first statutory step which followed it, the Government of India Act of 1919. His Majesty's Government have now declared that so far as the prospects of constitutional advancement are concerned the provisions of that Declaration and of that Act will continue to apply to Burma after Burma is separated from India.

Now, Sir, I want to refer only to the Preamble to that Act, and I want to read something that the Joint Select Committee said in dealing with that Preamble. They said :—

“ The Committee think that it is of the utmost importance, from the very inauguration of these constitutional changes, that Parliament should make it quite plain that the responsibility for the successive stages of the development of self-government in India rests on itself and on itself alone, and that it cannot share this responsibility with, much less delegate it to, the newly elected Legislatures of India.”

The opinion there given was expressed in the form of the Preamble itself, which, as we all know, declared that the policy of Parliament is to provide “ for the gradual development of self-governing

institutions"; that progress "can only be achieved by successive stages"; that those stages are to be determined only by Parliament; and that the action of Parliament "must be guided by the co-operation received from those on whom new opportunities of service will be conferred."

Those are the realities of the conditions on which we are participating in this Conference, and we intend, as I hope all the Delegates will intend, to conduct our deliberations and to reach our conclusions in a spirit always of practical and sympathetic co-operation, but subject always to a realisation of and adhesion to these realities.

At this stage, My Lord, I think I need not detain the Conference further. I would just like to assure you and our Burmese friends that we find no difficulty in our minds in reconciling our claim to retain the honourable and responsible position which the British community—both the commercial community and the professional community—have earned in Burma with a sincere sympathy for Burmese aspirations. We reconcile that claim with a sincere sympathy for the national aspirations of the indigenous races of the country. I hope that as our discussions proceed we shall find that such differences as may appear lie in fact only on the surface, and that the foundations of our discussions—and I hope of our agreement—are the real and ultimate interests of the Burmese people. That is the spirit in which we enter the Conference. We shall come up against difficulties, but we are proud and ready to face those difficulties and to join in the work of trying to bring about conditions in which Burma can in the fullness of time take its place as a loyal self-governing unit within the British Empire.

*U Tharrawaddy Maung Maung* : My Lord, at the very outset I should like to make a short personal explanation while supporting the joint statement that has been handed in. I am not the chosen representative of any particular party, though, until recently, I was first Treasurer, next President, and lastly Secretary of the U Soe Thein General Council of Burmese Associations, which undoubtedly was the largest political party in Burma until it was declared unlawful by the Burma Government at the outbreak of the rebellion, and I am fully acquainted with the opinion of that party.

My Lord, as you perhaps know, the U Soe Thein General Council of Burmese Associations, has boycotted the reformed Council from its very inception up to this day. Having no faith in Government, it holds the view that nothing can come out of conferences or negotiations with Government. It wants nothing less than complete self-government, and it will never co-operate with the Government in any half-way-house schemes. These views are well known to the Government of Burma, and for that reason the U Soe Thein General Council of Burmese Associations, is the most persecuted of all the political parties in Burma. At the outbreak of the rebellion in Burma the Council and over three hundred of its affiliated Associations were proclaimed unlawful. Homes and offices of about

a hundred prominent members of the party all over Burma were searched simultaneously by the police in the expectation of finding documents, etc., connecting the party with the rebellion. What did they find? Nothing. Up to date, the Government, with all its resources, has not been able to discover a tittle of evidence implicating the party.

Just before we left for this Conference, in an unsuccessful attempt to get a representative from that party to sit on this Conference the ban on the Council was lifted. But the Council in pursuance of the policy of non-violent non-co-operation, which it has consistently followed, prefers to go its own way, working out its own salvation according to the tenets of Buddhism, which enjoins non-violence. But for this policy of non-violence of the Council, and the Council's influence on the peasantry through its monk leaders, the condition of Burma in this rising would have been terrible. Hades let loose would have appeared tame. My Lord, as a former Secretary of State for India you must be aware of the risings which occurred in Burma from time to time with increasing seriousness.

The Burmese are a separate nation. We have our own distinct national culture, and strong national pride. Only 46 years ago there was an independent kingdom of Burma, and our ex-Queen died only six years ago. There is also a general belief among the peasantry that, after a lapse of years, the Burmese dynasty will come into its own again. So the hope that one day they will regain their freedom has never been absent from the hearts of our peasantry, which forms the backbone of our nation. Therefore, followers will never be lacking whenever there appears on the scene any pretender. If conditions are left as they are, this state of things, instead of abating, will continue to go from bad to worse, what with the ever-increasing economic pressure due to foreign exploitation, countenanced by the Government, and what with the ever-growing consciousness of servility to foreign domination. My Lord, in my humble opinion, there is only one thing that can stop this state of things. That is to raise our national self-respect by letting our people have the final say in the government of our country; in other words, by giving us Dominion Status, as enjoyed by Canada, Australia, South Africa or by the Irish Free State.

At the last Conference the separationists gave their point of view, and this time a few of us have come to show you the other side of the picture. I am against the separation of Burma from India, on fundamental grounds. Our inability to bear financial burdens in the event of separation is to me no reason, for if separation means liberty, then we must be prepared to pay for it even with our lives, let alone financial burdens. No self-respecting nation has ever considered the cost of freedom. But unless separation from India means full Dominion Status, with power of secession, I do not want separation. We are bound to India by the holy ties of suffering under a foreign yoke, and nothing less than Dominion Status shall cut these ties.

## Plenary Session, 3rd December, 1931.

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### GENERAL DISCUSSION (*continued*).

*Tharrawaddy U Pu* : My Lord, this Conference was called, I think, to enable the Burmans to place their case before you, and through you before the leaders of the different parties in the British Parliament, so that they may decide our case. I would therefore appeal to His Majesty's Government through you, and to the members of the British Delegation in this Conference. I take it, My Lord, that you and the other members of the British Delegation here will have to place our case before the British Parliament, by whom it will be judged. You are therefore in the position of judges, and as judges I believe you would like to know all the facts of the case with which you have to deal, because unless you know the facts I am sure you will not be able to give judgment on the case. In order, therefore, that you may know the full facts of the case, I would request you, My Lord, to give me a little time to enable me to place my case before you.

As the judges who will decide our case, we, the Burmans and the people of Burma generally, expect from you nothing but justice, and not ordinary justice, but British justice. That is what we want from you. Another request which I wish to make is that you will be good enough to excuse me if there should appear in my speech, any phrases which may not be palatable to my friends the British Delegates. I understand that your desire is also to have a heart-to-heart talk with all of us who are Delegates here, without any touch of diplomacy. I believe that is your desire, My Lord, and therefore if we are to have a heart-to-heart talk sometimes in the course of the discussions there may be certain remarks made on the one side, or on the other, which will not be palatable to you or to me, or to any of the other Delegates. In such a case, My Lord, I would beg of you to extend your indulgence especially towards the Burmese Delegates.

My Lord, as you and the Delegates know—as we all know—we are gathered here together with the task of seeking a practical *modus operandi*—in fact, with the task of building up a scheme for the future Government of Burma, assuming here for the purpose of discussion, a new constitution for Burma as a country separate from India, though quite aware of the fact that the question of separation or of federation with India is still an open one. We have been told many a time by those in power that no British Government will force down the throats of Burmans the pill of separation, the sweetness or bitterness of the taste of which pill Providence alone knows. It may be medicine for Burma's disease or it may be poison to kill the Burmans. We believe we will never have to swallow such a pill against our will.

We have read the speeches—memorable ones too—of our brothers from India proper. We sympathise with them when we note that, due to the divergence of opinion amongst them, they could not yet construct a Federal constitution for India. We feel sorry for them.

It appears that those in authority, if our information be authentically true, have already formed certain opinions regarding the political future of our country. We have not come here to make speeches, My Lord. If we can finish our work to-day, if His Majesty's Government would agree with us and give us what we ask for, then we will take our departure from this country immediately, if for no other reason than because of your intolerable weather, which, I am told, will grow worse day by day for a period of two months more. We come from a land of sunshine which your country seldom enjoys. When we agreed, as we do agree, to make to you as short speeches as is compatible with the importance of the subject, we hoped that you would not misunderstand us, as it is due to lack of capacity to make speeches. We have among us, My Lord, the Burma Delegates, gentlemen in the law, who can take you with them in debates miles and miles longer than our brothers who hail from across the Bay—that is, our Indian friends. Neither in political capacity nor in grasping subjects, facts and figures, are we inferior to any country. My Lord, we claim to have brains equal to, if not more than, anybody else without any exception. In order to shorten our proceedings I would like to suggest to you, My Lord, that you should ask those in authority to speak out their intentions towards us, their political impressions of us. Mr. Wardlaw-Milne said yesterday that the declaration made by the Prime Minister on December 1st, the day before yesterday, would not apply to Burma.

*Mr. Wardlaw-Milne* : All I said was, that I do not think we have any right to assume that what the Prime Minister said about India, necessarily applied to Burma. It may be applied to Burma or it may not be applied to Burma, but we have no right to assume that it does. That is all I said.

*Tharrawaddy U Pu* : We have no right to assume that it does. Well ; then it is somewhat better than yesterday. I will deal with it later. There is no use for them to say that they do not know what the Burmans of Burma desire. They know perfectly well that we claim, or demand, or ask, or desire—use any word that you choose—complete Home Rule. We demand responsible government and we are determined to achieve it. Believe me, My Lord, when I say we are determined to achieve it, we mean business. We want to have Dominion Status or a constitution which you may call Dominion Status ; to be free, like the Irish Free State, to have a Constitution like Ireland, or like Canada or Australia, or any other Dominion, and nothing more. We want to be placed on a status of absolute equality. When I say equality, I mean an equality

with other members of the British Commonwealth. This is our interpretation of the words full Dominion Status—a political term which was most disagreeable to some at one time but fortunately it has now, as I take it, been universally recognised. Well, this is our demand. Perhaps this word "demand" may seem impracticable to some, but we consider that it is our birthright to rule ourselves freely in the same way as other free nations of the British Commonwealth. When we are told that His Majesty's Government is prepared to meet this, our modest demand, then we will at once lay down the details of the constitution we desire for our country. In that case it will not be necessary to discuss the question of the separation or non-separation of Burma. If the present intentions of His Majesty's Government are made known to us from the start, considerable time could be saved, and the details, I believe, could be finished in two or three days.

If I may be granted leave to introduce an allegory, I would say that in the case of the Indian Conference you started building from the roof, and when, after a year, you got on with the construction of the building, you found yourselves in complete disagreement with our Indian brothers. They demanded a pukha building—in the Indian sense of the word—while you had in mind only a hut with simple bamboo posts and beams. What we ask for is a concrete building—a building of steel and reinforced concrete which will stand any strains to which it may be subjected.

Our demand is united. The Delegates from Burma, with the exception of very, very few—possibly only my friends the British Delegates from Burma—are in agreement with our demand for full Dominion Status, or full responsible government. There is no excuse possible on the part of the British Government on the ground that we are not united in our demand. With us there are no Hindu-Muslim differences, such as have stood as a barrier in the path of Indian progress. There is no question of untouchability, or of Depressed Classes; nor is there the much discussed question of Minorities. The Minorities in Burma are not ruled by us, the Burmans. The Minorities are like guests in our home. Indeed, they practically rule us, by co-operating with the local Government there, and in any event their interests are quite safe in our hands.

But will you allow the present state of affairs to go on indefinitely? Practically we Burmans are being ruled by the Minorities in Burma. You have only to look at the representation of the Minorities in this Conference, as compared with the number of Burmans. The questions to which I have alluded are said to have hindered the Members of the other Conference from completing the great task entrusted to them by their people. Our case in this respect totally differs from that of India. If you, His Majesty's Government, will let us know what your intentions are, in terms which will not convey a double meaning, it will be all to the good.

Sometimes, highly placed persons are apt to use words which are capable of two meanings, one in India and one in Britain.

I may tell you, My Lord, it was Lord Irwin who was blamed by some of the important members of Parliament here for using words which are capable of two meanings, one in India and one in England. He was blamed publicly. I know the circumstances, but I do not wish to mention the name of the gentleman chiefly responsible, because I am afraid he might attack us again. He is very powerful.

I feel confident that our work will soon be over, the Almighty guiding us to our desired goal. Burma is small, but she possesses immense material wealth. I wonder if there is not a tendency on the part of some sections of the press and Parliament to under-estimate the importance of Burmese affairs, because Burma is only a small country with about 14½ millions of population with about 10 millions Burmese population.

It is a country, My Lord, which you started to annex—or, to speak more openly, that you began to take possession of—against the will of the Burmans at that time, first of all, by detaching the southern part of it from Burma proper by the Treaty of Yandabo in 1826. By that document you caused the King of Burma at that time, according to the treaty, which I found in a book I borrowed from the Secretariat here, to renounce all claims to Assam, Manipur and other places which now form part of India. In those days the power of Burma extended to Manipur, Assam and these other places. In 1826 the southern part of Burma was annexed by that treaty. Then you got rid of us as the sole owners of the middle part, and finally, we were dispossessed of the northernmost part, which is the most valuable part, where you get the precious stones. Some stones are so very precious that, according to the Burmese tradition, a small stone may be worth almost a kingdom. It is there also that there are the silver mines, which are practically inexhaustible, and the teak in the forests, and the oil which is the life blood of your motor cars, aeroplanes, submarines, and so on. This was some forty-six years ago, but, My Lord, to those in the northern or upper part of Burma—I belong to the lower part myself, as you know—the memory of this annexation is still as fresh as a distressing affair which took place a little while ago. It is a memory which time cannot wither. Burma is comparatively small, but she demands immediate and sympathetic attention. Our country is small, but it would be a gross mistake and an unwise policy if an attempt were made to minimise her importance as a national and a political unit, as was attempted recently by a certain paper here. The paper is not a big one, and I know it is not a conservative one. I appeal to the press generally and to the British public to extend their world-famed generosity to us, the Burmans, and especially to the anti-separationist group, and to extend their appreciation and give us their impartial, unbiased and sympathetic decision. We expect

British justice and fair play, and British sportsmanship. We hopefully request you to understand us before you pass your judgment. Now it seems that many of them appear to be new to our case, and our cause, though sometimes someone indulges in some remarks against our interest. This is not the place and time, however, to dilate on this subject.

Regarding political parties in Burma. Burmans of Burma have known politics since the last three thousand years—not four years, not four hundred years; I said three thousand years, according to our history. Of course this has been disputed by some historians for their own reasons. Those historians were not Burmese. I know the names, but I do not want to mention them; I will say non-Burmans. The Burmans believe that we had ruled our own country with our Kings for over three thousand years. That is what we believe. During that time the country was ruled by the Burmese Kings alone. I am giving that for general information. For general information also I may mention that in the year 1044 A.D. our country was under the rule of King Anawrata, a king who had built six million forts, pagodas and other magnificent buildings, which are still to be traced at Pagan. I wonder if Your Lordship has been to that place? It is a town in Upper Burma on the Irrawaddy. The Upper Burmese architecture was decidedly superb at the time and gained universal praise. Burma had a long and glorious history behind it, until forty-six years ago when she began to fall under the yoke of British rule. Under these circumstances, My Lord, it cannot be termed a country devoid of politics during the last forty-eight years. Of course it is true that associations were publicly established during the last twenty years or so to work on constitutional lines. Such associations were formed throughout the whole country during a short period. The reason for this celerity in establishing associations so quickly may be attributed to our alertness and quickness in doing things. These associations were grouped into one in every circle, township and district. All these associations were affiliated to the central organisation called the General Council of Burmese Associations, which is usually referred to as the G.C.B.A. The members thereof at the beginning of it were U Chit Hlaing, my humble self, and U Tun Gyaw, so that we three were known as Hlaing-Pu-Gyaw. I beg to ask Your Lordship kindly to remember these three names. There were two bodies in those days. And there is another U Pu, who is a barrister-at-law, and who is at present the honourable President of the Burma Legislative Council. He was the leader of my friend U Ba Pe's party, which was, and which is still called the Twenty-one Party. Now I will come to that. That U Pu at present, the honourable President of the Legislative Council, and the present Delegates, my friend U Ba Pe, U Maung Gyee and Mr. M. M. Ohn Ghine, U Ba Si and Dr. Thein Maung were also members. In fact these three gentlemen were the then Executive Members, with U Chit Hlaing as the Chairman or the President.

U Chit Hlaing's chairmanship has run for the last thirteen years, ever since 1918. We were then united and were in one organisation. With the advent of Dyarchy there was a split on the question of Council entry and acceptance of office, or boycott of the Council. Now Hlaing-Pu-Gyaw stood for the boycott of the Legislative Council under the dyarchical scheme. That was in 1923. There was also only one All-Burma Sanghas' Council. The Sanghas number about 100,000 in Burma and the Sanghas' Council is a very important factor which no statesman can forget. They are the real leaders in Burma. Sanghas are also called Priests, but when I use the word Priests I do not mean you to understand that they are like the Priests of India. There is a great difference. I will come back to that later. This Sanghas' or Priests' Council has about 100,000 Priests as its members or its adherents. That Sanghas' Council was in entire accord with Hlaing-Pu-Gyaw, to boycott the elections to the Burma Legislative Council, and they are still boycotting the Council.

When the General Council of Burmese Associations, with the help and guidance of the Sanghas' Council, decided in 1922 to boycott the Council election, the President Pu, U Ba Pe, and others together with their friends had issued a manifesto urging the Council entry and acceptance of office. That was signed by 21 persons. That was how they became known as the "Twenty-one Party." Now Sanghas in Burma are not in any way similar to the Priests of India. Their sanctuaries are called "Kyaungs." There is a Sangha's "Kyaung" in almost every village or at least one in every two villages. The villagers, 99 per cent. of whom are Burmans, worship them, build their "Kyaungs" or sanctuaries, and offer food to them. They have renounced worldly affairs. Thus they have influence over the villagers who obey the village Sangha from childhood, the habit having been acquired since their ancestors' times. These Sanghas in turn pay due episcopal respects to the senior and aged Sanghas who are called "Sayadaws."

My Lord, we must not forget that there are some Sanghas too in Burma—but they are a mere handful—who are recipients of Government titles, and who still hanker for more of these rewards from the Government. Happily, they have no following in the country, and do not count at all in Burma politics.

Now, My Lord, for the first time since the split, the Separationists and Anti-Separationists are united again to put forward before you a united demand for full responsible government. That demand is signed by all my friends here, and we have come here to make this joint demand under the instructions of those who have sent us.

In 1926 I came into the Council with my party of 10 members, as leader of the Home Rule Party. That is what we call our Party, the Home Rule Party. We members of the Home Rule Party decided by taking oath to abstain from accepting any salaried post

in the way of a gift from the Government during the life of the Council. In the Council of 1926 to 1928 I formed the Parliamentary Party, with my friend U Ni as leader. U Ni as leader of the Parliamentary Party used to vote always in favour of separation ; therefore he must be described as a separationist. None of the "Twenty-one Party" were fortunate enough to get any post of a minister during the second Council, that of 1926 to 1928. It was then the "Twenty-one Party" agreed that they would not accept any office in the shape of a gift offered by the Government until after the new reforms which we are to discuss here, and not even then, unless the people agree. U Ni's Parliamentary Party and my Party agreed to join with the "Twenty-one Party" under the name of the People's Party.

Now I want to let you know, since you are the judges, how the People's Party was formed and what has become of it at present. Later, and for some reasons which are best not stated here, U Ni's Party separated, and my Home Rule Party also withdrew from the three parties union known as the People's Party. Since then I maintain that there can be no People's Party as such, but only the "Twenty-one Party." These "Twenty-one Party" members have formed other associations, calling them the Separation League, and so on. My friends U Ba Pe, U Maung Gyee, U Ba Si, Mr. M. M. Ohn Ghine, and Dr. Thein Maung have been, and are still in the "Twenty-one Party," while at the same time they have other labels, and slogans, too.

Judges must know the facts, My Lord. I am sorry that I have to tell you about the real state of the political parties in Burma, but after due deliberation I decided to do so, because I believe that His Majesty's Government does not know our real position, strength, and so on ; otherwise, I take it they would have invited us to the first Indian Round Table Conference, just as they invited my friends Sir Oscar de Glanville, U Aung Thin, U Ba Pe and Mr. M. M. Ohn Ghine, when the question of separation was provisionally decided with them, and with them alone, without giving us, the Anti-Separationists, the opportunity of being heard. The four gentlemen I have mentioned hold one view and one view only, namely, to separate Burma from India without knowing what would happen to Burma after separation. They do not know where Burma may land after separation ; it may be on the sandbanks. They are called Separationists, but we oppose separation without the previous attainment of complete home rule or full Dominion Status. By "we" I mean the General Council of Burmese Associations as my Home Rule Party and the All-Burma Sanghas' Council. Since 1923 the General Council of Burmese Associations has been split into three parts, one under U Chit Hlaing, another under U Su and yet another under U Soe Thein, who refused to join us in this Delegation. All the members of the General Council of Burmese Associations oppose separation. These organisations as such oppose separation until it is known that Home Rule will be given after separation. The

Government, knowing that there are so many parties and so many organisations in Burma who opposed separation, have neglected them intentionally. They knew very well of the existence of the leaders of the anti-separation movement ; they know of the existence of the Sanghas' Council in Burma, yet none of them were invited to attend the previous Conference ; there were only those four gentlemen whom I have named, and who, though personally they are my friends, are not people with whom I agree politically. They were the only people invited. Their views are well-known in Burma, and the Burma Government also knew them very well. We were in the same Council, the Burma Legislative Council. This question of separation had already been discussed on the floor of the House. All the members of the General Council of Burmese Associations oppose separation. They will speak on their own behalf. They hold the same views as my humble self regarding the question of separation. The three General Councils of Burmese Associations, they are those of U Chit Hlaing, U Su and U Soe Thein, still boycott the Burma Legislative Council like the All-Burma Sanghas' Council.

The voice of the Burma Legislative Council, therefore, is not the voice of the people of Burma. Please do not allow yourselves to be led away by the so-called decisions of the Burma Legislative Council. I have been there with my members, sometimes 8 and sometimes 10. I always used to get up to oppose this suggestion of separation whenever it came up. I could not help laughing while sitting in my easy chair when I read the discussion in the Indian Round Table Conference on the question of separation, because someone got up and said Burma was unanimous in favour of separation and that a resolution had been unanimously passed in the Legislative Council. My Lord, it was absolutely untrue. Whenever this question cropped up in the Council I used to get up and oppose it with all my Party's weight ; but we never went into the Division lobby because we had only 8 out of 103. Therefore the voice of the Legislative Council is not the voice of the people of Burma. In the Council my Party always has opposed, is still opposing, and will always oppose—if it comes up again—the separation question. The question was never carried unanimously, but I am sorry to find in the reports of speeches at the last Indian Round Table Conference that on this question someone said that the Council was unanimous on this question. It was far from it.

In the same way the Sangha Council has to be split up into three different organisations. So there appeared three Sanghas' Councils. Three Parties appeared on the scene owing to the split. There were then three General Councils of Burmese Associations and three Sanghas' Councils ; and all six organisations are still boycotters. Though they have split up for personal reasons, they always agree on general politics. They boycotted all the three elections to the Burma Legislative Council under the present dyarchical scheme, and the elections for the Local Bodies, District

Councils, etc. They protested, and are still protesting, against the proposal of separation of Burma. They are protesting by all means possible. We all sent our cablegrams to the Indian Conference and the Burma Committee ; but I am sorry to note the remarks of those in authority that no notice need be taken of those cablegrams, as such cablegrams could be sent by any Tom, Dick or Harry. My Lord, we were very sorry to note that remark. His Majesty's Government ought to have known Maung Pu, U Chit Hlaing and U Tun Aung Gyaw. When His Majesty's Government claimed to know, and did know my friend U Ba Pe, why did it not attempt to know my friend U Chit Hlaing, this poor fellow Maung Pu, and U Tun Aung Gyaw, who had at one time played havoc with the Burma Council ? That in itself shows how His Majesty's Government, which had supported those who urge separation, was ignoring Burma.

My Lord, we, the Anti-Separationists, claim a vast majority following. A question may be asked at this Conference : how can you make such a claim ? We have Pongyis, Priests, in every village, or at least one in every two villages. These Pongyis have influence over their particular villages. These villagers cannot go away from that village and they have to stick to their Pongyi. It is a tradition in Burma that the Pongyi of the village has always influenced the villagers. If there be two Pongyis in one village—sometimes in big villages there may be two or three Pongyis—the villagers owe their allegiance—as we call it—to one or other of the Pongyis. These Pongyis in turn, pay their respect to the high Pongyi in towns or big places.

The General Councils of Burmese Associations are united in their political creed. They have one political creed, and that is to boycott the Legislative Council. They are united with us. Most of them, almost all of them, are united with my friends. Thus we claim 99 per cent. of the masses as a following.

I have read almost every word spoken at the last Conference as reported in the Press, and we felt comfortable when our friends Mr. Jinnah, Dr. Moonje, and Mr. Shiva Rao got a promise from the Prime Minister of the then Government who, of course, remains Prime Minister in this Government too, to the effect that the Government would make no announcement on the question of separation until the question of separation had been considered by the Plenary Session. That promise, if I remember aright, was made on 16th January, 1931. The question of making or not making any announcement by His Majesty's Government was repeatedly urged by these Indian Delegates, and the promise was made by the Prime Minister on 16th January, 1931, in the Committee of that Conference. My Lord, God knows what transpired between the 16th and 19th January !

The question of separation was not discussed at the Plenary Session at all. The Prime Minister's promise was that he would not make any announcement regarding separation unless, and until, a discussion had taken place at the Plenary Session on the 19th January. But on that day no discussion of any kind took place. The Prime Minister perhaps had forgotten his promise clearly made on the 16th. The question of separation was not discussed at that Plenary Session at all. The Session rose at 12.25 p.m. and was postponed until 3 p.m. on 19th January, when the Prime Minister suddenly, and to the surprise of the Indian Delegates, made the declaration accepting the principle of separation. That was the death-blow to us, the Anti-Separationists of Burma.

I do not think I need now pursue the development of this question further, but I will for the present be content to record this strong protest against the so-called acceptance of the principle of separation by His Majesty's Government, without giving us, the Anti-Separationists, who claim a vast majority of followers amongst the masses, an opportunity of being heard. The British sense of justice and fair play demands that in every case both parties must be heard. We are glad that now we are going to be heard.

But we would also register our strong protest against the manner in which the Delegates here have been chosen. Look at the way in which these Delegates have been chosen. I will show you how partial the Government have been. This matter will be dealt with shortly ; at the moment I am merely putting forward this formal protest against acceptance of the principle of separation. While registering that protest we will take part in the discussion for the making of a constitution for Burma, but please do not make any mistake. By taking part in that discussion we have not given up that protest against the acceptance of the principle of separation behind our backs by His Majesty's Government. All parties have agreed to make a joint demand for full Dominion Status.

If that is granted, there is no need for me to put the issue before this Conference, for we Anti-Separationists would also agree to the separation of Burma from India if we are going to be a free people after separation. In fact, we do not want to be ruled by anybody. If we are to remain a free partner in the British Commonwealth of Free Nations we want to separate ; otherwise we may have to negotiate with our Indian friends to enter the India Federation, when that Federal constitution comes into being, on our own terms ; or we may have to try to find some other legitimate means to achieve our goal. We Anti-Separationists, and also, I believe, our friends of the " Twenty-one Party " who are Delegates here, are now determined to achieve our aim by all legitimate means, even if it costs us our lives. That is our determination. I beg of you not to take this part of my speech as a threat. I have merely come here to have a plain talk with you ; and I believe you would prefer to be talked

to plainly rather than to be treated diplomatically by the Burmans at this Conference. If we do not speak our minds, you will not know what we are thinking.

We have become desperate. We think that those of our friends who have passed away are more fortunate than ourselves, who are living longer than they did, in the present wretched circumstances.

At any rate, give us a trial at ruling ourselves. If we fail, you can take back the whole administration. That is my personal opinion. We know how to rule our own country ; we had ruled ourselves before ever you ruled Great Britain, My Lord.

We wish to protest against the unfair and unjust selection of Delegates for this Conference. Burma is a Burmese country, having a population of 14,667,146. The Burmese and the indigenous races number about 12 millions, and the minorities less than three millions. Our friends the Karen, moreover, are legally, socially and morally no other than Burmans, and they are one of the chief indigenous races. These minorities have been given 10 seats. Your Lordship will remember that in Burma we have about 12 million Burmans, yet the minorities have 10 seats and we have only 12. There are 10 seats for the minorities and 12 for the majority, the Burmans, who, as I have told you, number about 12 millions. The minorities, with a population of only 2 or 3 millions, are given 10 seats out of 22, while the Burmans have only 12 seats. This is a downright insult ; we take it as an insult to the Burmans. My friends the Sawbwas are Burmans, but they have been made to identify themselves as a minority party. They claim their own rights. This matter will come before the Conference later for discussion.

The Burmans have lost their country, and now they are threatened with minority rule. The other day the Prime Minister spoke about majority rule over a minority. Now in Burma we have the minority ruling over the majority of Burmans in Burma. As I say, we Burmans have lost our country and now we are threatened with minority rule. That cannot be British justice ; I submit, My Lord, with every respect for you, that it cannot be British justice—either to allow a minority to rule over a majority or a majority to rule over a minority. The day before yesterday our great Prime Minister talked about the danger of majority rule over a minority. We were the owners of our country. Burma is our home. The minorities are no other than our mere guests. Yet we have not only been guests in our own home, but have been ruled by the minorities. My Lord, who would like to live under such circumstances ? Will you, my colleagues the British Delegation, please place yourselves in our position. I make an appeal to you. I am not threatening you—far from it ; I would be the last man to do that. Now you just become Burmans in our position in Burma. Supposing you are a Burman, would you tolerate such a position for a day or for a minute ? I will give you a more concrete supposition, though that

supposition will never come about, I am sure. Please permit me, My Lord, to suppose for a moment—though, of course, this supposition will never become true—that China, which has a population of over 400 million, ruled you in Britain, which has about 45 millions. If China were to rule the British and Britain in the same way as you are ruling us in Burma, what would you do then? That is what I want to know. Would you tolerate that for a moment? You would do only one thing; there is no other alternative. We know what you would do, but I am not going to speak of it here. If you were ruled in the manner in which we are being ruled now, you would certainly ask for Dominion Status. I do not go to the extent of asking for complete independence from our King, His Majesty King George V. We take him to be our King. He is not only your King, but we take him to be our King too. Now, supposing you ask China for Dominion Status. That is my request, my demand, my prayer. I come and ask you for that. Now suppose you ask the Chinese for that. I am sure you would be up against them. Now supposing in answer to that request the Chinese Government said: "Oh, you Britishers, among your brothers you have not got 400 B.A.'s." We were told we had not got 400 B.A.'s by Sir Reginald Craddock. It might be said that you have not got 400 Chinese B.A.'s—not the B.A.'s of Oxford or Cambridge. How would you feel if they turned round and told you: "My dear friends, you have not got 400 B.A.'s or four thousand Chinese B.A.'s" How would you feel, My Lord?

You talk about capacity to rule ourselves. My Lord, what capacity do you want? What more capacity do you want? We have behind us a history running over three thousand years. What more do you want? I want to know how you judge capacity. By capacity do you mean to say that we must have graduates, Oxford B.A.'s or Cambridge B.A.'s? How did we rule our own country by our own kings in those days? We had not got a single B.A. then. I will tell you King Anawrata did not even know the A.B.C. I know more than he did, although I am not a graduate. He was not a B.A.; he did not receive an English education. By "education" do you mean English education, A.B.C., up to B.A., M.A., and so forth? I would submit, in that case, I do differ from you and the whole of Burma will differ from you. If you mean by education B.A.'s and University education and all that, that is nothing. My Lord, do you know what we have? We are not B.A.'s. I am not a B.A.—far from it. I am merely a seventh standard fellow. I passed the seventh standard in my country. I have never been to England before, and I have no University education. Do you know what I have? I claim to have brains! My friends laugh at it, but I have brains. Do you know we have Pongyis there? You may laugh, but I am saying this very seriously. You see we have Kyaungs there, where Burmans can learn a lot. Out of these hundred thousand Pongyis I should say

more than 50,000 are learned in everything. It is a fine education. I want to ask you, My Lord, not to look at one type of education alone—that is University education and the ability to make speeches. The other day although the Prime Minister had blamed Indians for making long speeches, yet when he was speaking of them in the House of Commons he said that they made good speeches. My friends can take you miles and miles beyond them. We have B.A.'s and M.A.'s and barristers. This lady Delegate here is an M.A. from Oxford. How many M.A.'s do you want before you give us Dominion Status? That is what we want to know.

Please do not turn down our claim for Dominion Status simply because we are not all M.A.'s and say that therefore we cannot have it. Do not say to us "You have no capacity to rule." Have you ever tried us? Put us on trial and then if we fail you can take back the whole administration.

I have stated that the General Councils of Burmese Associations and the Home Rule party, claim a vast majority among the 12,000,000 Burmans but yet we Anti-Separationists find that only five of us were selected as Delegates, while six Separationists were selected.

Does not British justice demand a fair distribution of Parties? There is still graver injustice. Take the Burmese Delegation as a whole. With the exception of the two Indian gentlemen, who would naturally oppose separation, eight others are well-known Separationists, so that in the Burmese Delegation alone, seven only were selected from the Anti-Separationists, that is to say, five Burmans and two Indians—whilst fourteen were selected from the Separationists. Thus you will find the separationists in a very large majority. The selection was artificially made by the Burma Government or Governor, who has been trying to get Burma separated. He would not work for Home Rule for Burma, but only for separation. If, after the separation, Burma is treated as a Crown Colony or helpless country, I wonder whether he will come back to help us. Probably he will then be enjoying his pension in Scotland.

I strongly protest against any attempt to decide the question of separation at this Conference against our will. It is said that there will be no voting. I brought forward this unequal proportion in the selection of Delegates to the notice of the Governor, and he could give no other answer but that there would be no voting. My Lord, the composition of this Delegation is an artificial one. It is true that the Indian Conference did not go by voting, but the real danger lies in the taking of the "general sense" of the Conference and of majority or minority views. I warn you that this Conference as constituted, is not one in which you can decide the weight of the public opinion of Burma on the question of separation. This Conference should not under any circumstances decide this question by number, nor should the sense of the Conference be taken.

I would like to deal with another subject of great importance, namely, the rebellion. The origin of the rebellion has been widely discussed. Some attributed it to political and others to economic distress. The leader, Saya San, was tried and sentenced to death. The appeal was dismissed, and Saya San was duly hanged on Saturday the 29th November last.

In our country there is a form of tax called Capitation Tax, which is Rs. 5 for married people and Rs. 2·8 for unmarried male adults. In Upper Burma the assessment is made according to the means of each assessee.

In the Tharrawaddy district where I was born and where I lived until six years ago, the local Government, at the time of the outbreak of this wretched rebellion, used to collect that tax by employing force, with the aid of the military police. One of the means of collecting it by force was that the military police entered the homes of these poor villagers who could not pay owing to their poverty, and due to the depressing nature of the economic situation of Burma at the time, and pulled down the personal belongings of the poor villagers just as was done by the unruly mobs at the outbreak and during the course of the French Revolution. The Tharrawaddy district was not the only one which witnessed such terrorism or, to use mild terms, unfair actions by the British administration; there were similar happenings in the Prome, Thayatmyo and innumerable other districts of Burma. These allegations were made to the Burma Government, to the Viceroy and to the Secretary of State for India.

An enquiry committee, consisting of four members, was at once formed by the General Council of Burmese Associations. That Committee was presided over by this very man Saya San, the leader of the rebellion, because he was for some time an executive member of the General Council of Burmese Associations. The Committee visited a large number of villages in various districts in Burma, and recorded statements of thousands of people who had suffered from the oppression in various shapes and forms. After this was done, Saya San resigned from the membership of U Soe Thein General Council of Burmese Associations, which is still refusing to co-operate. Later, Saya San, without the knowledge and consent of the General Council of Burmese Associations members or of any person connected with the General Council of Burmese Associations quietly formed secret associations, according to his statement, to resist the forcible collection of capitation tax in December of last year when the illegal collection of tax had already begun by the village headmen, the collectors. The tax according to the law falls due only on the 1st January of every year, whereas the tax tickets were issued in December when the collectors started before the date due. This was very illegal.

This illegal method of collecting taxes was, according to Saya San, to be resisted. The fact of collecting illegal taxes in December by the villagers was admitted by the prosecution before the trial Court, and by the witnesses, two of whom, I believe, stated clearly that they had started to collect capitation tax during the month of December before it had fallen due. The rebellion broke out and the Government forces encountered the rebels for the first time on the 23rd December, 1930. Saya San stated that he was out to resist forcible and illegal collection of capitation tax. That is one thing; secondly, to get firewood and bamboo freely by the villagers for their own domestic use; thirdly, he said, to oppose the forcible separation of Burma. The whole country had requested the Government to abolish this tax; so did the Burma Legislative Council. But the requests, unfortunately, fell on deaf ears. Many people had given up their lives by joining the rebellion with the motive, according to Saya San, of resisting the illegal tax, etc.

My Lord, our poor Burma is under the yoke of political subjugation, and in the throes of a very grave economic distress. The people have become desperate and many prefer death rather than face these appalling circumstances. Saya San, in his statement, clearly stated that he formed those secret associations in order to oppose the forcible separation of Burma. It was at about that time that you discussed the question of the separation of Burma here in this Palace, and it was then that the Declaration as to accepting the principle of separation was made *ex parte*; that was without us. The people took it that we were going to be separated by force, and anxiously expected that our country was going to be treated as a Crown Colony or that the whole nation would be stamped out after separation. We desire to see the rebellion stopped. It has not yet been stopped. We are sorry to hear that since our departure from our country it has gone from bad to worse, and the situation has become such that more troops have had to be sent from India. We should like to hear from the Secretary of State as to what has happened in regard to this unfortunate affair in Burma.

I moved a resolution in the Council to appoint an enquiry committee. My friends of the other party also agreed to this, and it was unanimously passed. The British Government, however, refused to appoint this enquiry committee. It was intended that the committee should travel throughout the country and suggest ways and means of restoring tranquillity. When non-co-operators offer you the helping hand of fellowship you must never refuse it. To stop the present state of things the only suggestion we can make here at present is to appoint a committee of enquiry such as I have mentioned. Secondly, we would ask His Majesty's Government to stop or abolish this tax immediately, because the time is coming to collect the tax on 1st January. Lastly, I would ask you to see that poor villagers are supplied with firewood and bamboos

for their domestic purposes. If you will see eye to eye with us we will be able to create a calm atmosphere while we are discussing the fate of Burma.

*Lord Winterton* : My Lord, I would like on the behalf of my colleague, Mr. Wardlaw-Milne, and my own, to express the pleasure that we both feel at meeting round this table, the representatives of so ancient, so charming, so romantic and so beautiful a country as Burma. Although I am really only entitled to speak for Mr. Wardlaw-Milne and myself, I am sure that in saying what I have just said, I am expressing the view of all the other British Delegates.

I have never had the pleasure of visiting Burma though I have always wished to do so. I have been told that those who go to Burma leave their hearts there, and as I am in more senses than one very susceptible, perhaps from that point of view it is fortunate that I have not been there. I have, however, always had the greatest desire to see your beautiful country. I have always admired the Burmans' intense devotion to the soil of their country and their love of colour, of laughter, of beauty, and their artistic perception. We in this country, in the time of Queen Elizabeth had much the same qualities of perception of beauty and of art. Then came a period unfortunately in which the Puritan Movement arose. I hope my friend Mr. Isaac Foot will not mind my referring to this because I have a feeling that he must be descended from Puritan ancestors. Major Graham Pole I feel convinced, from his appearance, is descended from the Cavaliers. Therefore, he will appreciate what I am going to say. The Puritan Movement had many good things about it but it did undoubtedly tend to reduce the Englishman's love of those things which I am glad to think you have in Burma to-day. I have every sympathy with your point of view in that regard.

I would like to make the position of my honourable friend and myself at this Conference clear. We were returned at the General Election, as you are all aware, as supporters of His Majesty's Government.

We are therefore anxious, if we can, to support the Government at this Conference ; but I want it to be made quite clear that we are not in any sense hide-bound supporters of the Government. We are not in any way responsible for the policy the Government may put before the Conference. We are unhampered by any pledges, and anxious to consider each case on its merits. I hope we shall be able to support the views which the Government will put forward, but we are free to oppose the Government if necessary. I have always held the view that opposition is good for all Governments, and we have just been told that some of the Delegates around this table have carried the process of opposition to Government in Burma to a considerable extent. But a little opposition never does any Government any harm.

I should like also to make clear the position which I personally take up, and which I believe to be that of my friend, Mr. Wardlaw-Milne, in regard to what is to happen after the Conference has come to an end. I hope that, if there is a consensus of opinion by this Conference in favour of a certain form of new constitution for Burma, His Majesty's Government will, provided they agree with this opinion, proceed in due course to put it into legislative effect without waiting on events elsewhere. In other words, I want to see a reasonable rapidity of decision. Unless there is such reasonable rapidity of decision, as I said in the House of Commons yesterday, I do not see much use in this Conference being held ; but I want to make it clear, of course, that I do not exclude a reasonable period for discussion between Burman representatives here and their fellow countrymen and women at home. That point has been raised by one or two speakers. Of course, there should be a reasonable period for discussion. But I hope the Conference will agree that if there is a consensus of opinion in favour of a particular course there should be rapidity of decision in carrying it out.

The proviso I have mentioned, " provided the Government accept it " is very important. It will be for the Government eventually to state their policy. It cannot be too often emphasised, as the Prime Minister stated yesterday in the House, that in all these matters the ultimate responsibility rests with His Majesty's Government and with Parliament. They cannot delegate that authority. They can confer with as many people as they desire, have as many committees and commissions as they like, but the ultimate decision rests with His Majesty's Government and with Parliament ; and it is the duty of us who occupy, although supporters of the Government, a position of some independence in Parliament, to press upon the Government the importance of reaching a decision on high matters of policy both in India and Burma.

In conclusion, I can speak for all the British Delegates around this table when I say that we regard with respect and admiration the sincere convictions of the men and women from Burma who, through birth or adoption can look on Burma as their Motherland. Whether we agree or disagree with their views, we must all respect their sincere convictions. They have journeyed far, in most cases at considerable personal inconvenience, to this foggy and grimy town, with a climate in winter which, I can assure my friends from Burma, I detest as much as any of them. I like sunshine, and get it in the part of England where I live. It is a great thing you have done in coming here at such inconvenience. Therefore, I say in conclusion, if we sincerely and honestly feel in the course of these deliberations—and by " we " I mean Mr. Wardlaw-Milne and myself—that we must disagree with any of you, I hope you will accept my assurance that we are only disagreeing with you out of a strong conviction that you are mistaken. But if we can support any or all of you, it will be a real pleasure to us, and if we can contribute to the future peace and

prosperity of the fair land of Burma we shall feel well satisfied with what we have done.

*Dr. Thein Maung* : My Lord, I seldom agree with my friend Tharrawaddy U Pu, and so I can assure you I shall not follow his example ; personally, I shall be as brief as possible.

Yesterday Mr. Haji was anxious to know how immigrant Indian labour had ousted the indigenous Burmese labour from its legitimate occupations. He wanted to be given real instances of that. Unfortunately, My Lord, Mr. Haji has not been very long in Burma, and I am afraid he has not seen Burma apart from Rangoon. Under those circumstances, he cannot know how much Burma has suffered owing to the free inflow of immigrant labour.

I shall now endeavour as briefly as possible to show how our Burmese labour has been ousted. Mr. Haji is himself a shipowner, and so I shall take shipping labour first. In Burma there is published every week an official paper called the "Burma Gazette," and in that paper there is published weekly, the report of the Labour Commissioner. If my friend will take the trouble to read that paper, he will find that during the last week of August and the first week of September of this year, the Labour Commissioner published a brief account of the labour movement in Burma, and in that account it is definitely mentioned that up to about 1896 Burmese labour was used for shipping. I may remind you, My Lord, that Rangoon came under the British in 1852, and the whole of Burma was annexed in 1885. Therefore, for forty-four years after the annexation, Burmese labour was used in Rangoon for clearing the goods carried by the ships ; it was only after 1896 that Indian labour was brought in, simply because it was cheap. Details can be found in the books, which I have not in front of me at the moment. The fact remains, however, that for forty-four years after the annexation, Burmese labour was used, but Burmese labour is not now being used. Burmese labour was ousted by immigrant Indian labour simply because the latter was cheap, and it was cheap simply because the standard of living of the Indian labourers is very low.

The same publication has also published the cost of living of the various types of labourers, Burmese, Indian and so on, and Mr. Haji will find that the standard of living of the Burmese labourer is at least 40 per cent. higher than that of the Indian labourer. Now the Burnese labourers have been employed again, and I can assure you, My Lord, they have done well.

Secondly, there is the agricultural labour. Previously, in all districts, the agricultural labourers were all Burmese. During harvest time the people from Upper Burma used to come down to Lower Burma to do reaping and so on. But recently, finding Indian labour very cheap, and the Government not objecting to sweated labour being used, the people began to use Indian labour, with the result that the Burman labour from Upper Burma now

cannot come down to Lower Burma for work, and the harvests in some districts are now mostly worked by the immigrant labour. It is now extending even to my own constituency in Prome. It so happens that some of the rice mills which were owned by Burmese have now fallen into the hands of the Indians, and these Indians bring in their own coolies from outside Prome, with the result that in my own constituency my own people now cannot get employment.

Then, My Lord, in 1885 Kin Wun Min Gyi, the then Chief Minister, had a negotiation with the British. He was out-done I must admit and he lost the King ; but as a last request he asked that the Government should not import Indian labour to Upper Burma. The request was granted and up to about three years ago there had been no Indian labour in Upper Burma. But, beginning from last year, these Indian labourers have now been introduced in Upper Burma, particularly in the Pakokku District, and so much so that the Member for Pakokku West constituency had to raise a question in the Burma Legislative Council just to draw the attention of the Government to the importation of cheap labour from outside and to its adverse effect on the people in that area. My Lord, I could give many more instances on that but I think I have said enough.

Coming to the question of future reforms, in conclusion I would like to remind the members of the British Delegation that they should bear in mind the decisive fact of the logic of events, that it is safer to go forward than to stand still, and to confer institutions, perhaps somewhat prematurely, rather than to arouse discontent by withholding them. The success of the working of representative institutions depends, not so much upon their logical excellence, as on their being able to attract and make use of the forces of public opinion. U Ba Pe has distinctly said what we want, and I think it would be a good response on the part of the British Government to give in to our very mild request and for ever gain the love and affection of a warm-hearted people like the Burmese.

We have also heard about the claim of the Shan States. I have read their memorial, and as one wanting freedom, I quite sympathise with their aspirations and hope that they will get what they want. We are now brought together round this table. There are many things which are of common interest to the Shan States as well as to Burma proper. They have mentioned two alternatives. One is their own claim for Independence or, if they cannot get that, they will join with Burma. I would request, therefore, that the case of the Shan States be considered first, and a decision come to so that in case the Government does not think fit to grant their request, they can then join with us and we can confer with them as to how far we shall go in our future Government. The noble Earl Winterton has given us some hope and I hope that it will be fulfilled.

*Mr. Isaac Foot:* My Lord, I only wish to say just a few words this morning following the noble Lord who has spoken. As far as the general Conference is concerned, I am not taking any general part in this first discussion. I am waiting for the sittings of the Committee when we can actually get face to face with the business before the Conference. I would, however, like to associate myself with what Lord Winterton has said. When the Round Table Conference met twelve months ago I had the opportunity of forming what I hope are lasting friendships with those who were the representatives of Burma at that time, and I am glad now to be able to meet them again with so many more of their colleagues—with different views, but I think all joining in the common desire to do the best for their country. I can associate myself with everything Lord Winterton has said as to the necessity of dealing as speedily as possible with this question, but he will not expect me to agree with his observations about Cavaliers and Puritans. The point which I think Lord Winterton forgot is that we are here to consider how we can establish representative institutions in Burma. I want my friends from Burma to realise that if it had not been for our Puritan ancestors there would have been no representative institutions in this country and that they have been preserved mainly owing to those Puritan ancestors. Whilst perhaps they forgot colour and life they did, however, maintain in our national life some of its most essential factors.

I agree with Lord Winterton that we share your anxiety that the interests of Burma shall not suffer in any reforms that are applied to India. I know how deep that anxiety has been. I know that Miss May Oung saw me time after time at the House of Commons. In fact she almost lived at the House of Commons for some time, pressing your claim upon us, and I am glad that that claim was in the end recognised.

There is one other thing I want to say, My Lord, and that is that it is a very wonderful thing that we should be meeting round this table, meeting in this historic Palace, and meeting not only in this historic Palace but assembling in this famous city which was once described by a Cavalier ancestor of the noble Earl as a centre of sedition, but was described by the Puritan John Milton as the "mansion house of liberty." It is a wonderful thing that we should be meeting in these historic surroundings to try to deal with this problem. You may have a great deal to teach us, gentlemen.

Many of the things that you have learned in that long history stretching, as we have been told, over three thousand years, enable you to make a contribution to our Empire that cannot be made by anyone else, as, for example, in your philosophy. But we believe that we, too, have gifts to communicate, and the desirable thing is now that there should be a common contribution in the interests of us all. I found—and I think Lord Peel, whose experience

was more intimate, would agree with me in this—that the Round Table Conference twelve months ago achieved a large measure of success because of the work that was done outside the Conference itself—I mean, in the social conferences that took place, in the opportunities that we had of enquiring more closely into the problems and the conditions that were discussed around the table. I hope that our work will not be limited to what can be done at these formal meetings, but in the friendships we shall be able to form, we may have many conversations and personal discussions to elucidate the things which are sometimes not sufficiently explained at the Conference itself.

On behalf of my colleague and myself—and here again I think I can speak for all the British Delegation—I should like to say that whatever we can do to help towards the solution of this problem will be very readily done, and I congratulate those who have been selected for attendance here at this Conference on the fact that they are given an opportunity that their fathers would have coveted and that their grandchildren will look back upon—an opportunity in this generation to make what I hope will be a permanent contribution to the welfare of the land in which they are concerned.

*Sra Shwe Ba* : My Lord, my friend, Mr. Sydney Loo-Nee, has clearly stated to this Conference the mandate of our people, the Karens of Burma. I wish now to enlighten this Conference on the position of the Karens and their contribution to the welfare of Burma. It is true that others have some knowledge about us, but it is a truism that we know the Karen people better.

I, therefore, take this opportunity to make the Conference understand the Karens better. We claim that the Karens are the aborigines of Burma. Indeed, our history has maintained that we were in the country before the Burmese people. Accordingly, the Karens' claim to belong to Burma stands on a different and a much higher plane than that which can be put forward by others. The Karens have lived side by side with other races, but have not been absorbed into any other races, as have some of the indigenous races of Burma. In the words of the Government of Burma, we are a distinct entity and are not likely to be assimilated. We consider ours a distinct nationality, and we do desire to evolve our nationality on our own lines. We may therefore claim that our position is unique and peculiar, and unlike that of any other community in Burma.

The Karens have always held together. We have no caste. We have absolutely no religious intolerance, and there is no conflict among us. Our women have always been treated on an equal footing with the men, and never as inferiors, even in theory. In point of literacy in English, the position of our Karen womenfolk, taking this matter on the basis of our proportion, is distinctly unique ; never surpassed and not yet equalled.

The Karens have taken to education early and earnestly. Schools have been opened in the villages and in the large towns, with the result that tens and tens of thousands have been enabled to avail themselves of the benefits of education. The result is that literacy is quite high among us. We therefore repudiate any suggestion of being a backward race or a "hill tribe." If any race is ready for democratic institutions we claim ours is.

The Karens have contributed to the welfare of the country in various ways. Our schools, maintained and largely financed by us, open their doors to all alike, and have given education to Burmese and other races. The majority of Karens as agriculturists have also contributed to the prosperity of the country, but it is with deep regret that I have to say that many of their lands have fallen into the hands of the non-indigenous races.

For the defence of the country we have supplied men to the Army, about which my friend, Mr. Loo-Nee, made a statement yesterday. That we are law-abiding and peaceful citizens, the history of the Karens is a testimony. Karen villages are mostly free from crime. I do not say, nor do I want to be understood as meaning to say, that the Karens do not fight when offended. What part the Karens can play in the new Burma, with all the solid qualities that go to make law-abiding, peaceful and useful citizens, I leave it to the British Government to judge. In a self-governing Burma the Karens can assuredly be one of the main props of the new edifice.

I am happy to mention that in recent times there seems to be a better understanding and mutual respect between the Karens and the Burmans than in former times. But as the Karens are not yet well understood their needs are frequently overlooked and ignored. The Karens being naturally quiet and reserved are reluctant to raise their voice to others, except through representatives who are their own people. The Karens do feel that they have not had a due share of representation, consonant with their numerical strength and serviceability. We want to contribute our share to the building of the new self-governing Burma. We desire to do our part as a distinct entity, for only in that way can we bring our own contribution to the progress and the prosperity of our mother country, Burma. To do that we do need political training and experience and also more responsibility in the administration. We are in full sympathy with the desire for a full responsible government. We only ask that we may be able to take our share of the yoke in an effectual way.

No constitution would be satisfactory or would work successfully until and unless we have our rightful share in the Legislature and in the administration of the country.

*Major Graham Pole :* May I, on behalf of my colleague, Mr Hall, and myself, express our great appreciation of the honour of being at this Conference to meet face to face Burmans from Burma with

whom we can consider the problems of that great country. I associate both Mr. Hall and myself with the words that fell from Lord Winterton and from Mr. Isaac Foot this morning as to how much we appreciate the privilege of being here. Lord Winterton spoke of the Puritan ancestry of Mr. Foot, and seemed to think that my ancestry was Cavalier. I come from the northern part of this island, the part called Scotland, which peaceably annexed the southern part some two hundred years ago, and sent a king to reign over it, and we have been more or less ruling it ever since.

But if the Burman delegation is representative of many parts, the Karens, the Shans, and so forth, the British Delegation is no less representative, representing as it does England in two or three members, Wales in the person of Mr. Hall, and Scotland in my own person. It is because I belong to a small nation that is very proud of its freedom that I believe that every other one of every nation wants to have his rightful place in his own Motherland. The interests of Burma are the interests that we are here—all of us, whether British or Burmans, whether representing European or Indian interests in Burma—to consider, and we are here to do what we can to see Burma through Burman eyes. It is for that reason that we are glad to be here to try and get at first hand your point of view, and to see things as you see them.

Coming from that great country, a country where Buddhism is the great religion, a religion which has more adherents than any other in the world, it is particularly good that we should hear something from you of the effect of that religion of peace and goodwill—sometimes not exactly coming out in some of the speeches, but we know that the precepts of the great Buddha are behind all the ideas of the Burmans here.

I would like to make a remark or two arising out of what Lord Winterton said, that the ultimate responsibility for the kind of Government in Burma rests on His Majesty's Government and on Parliament. Mr. Harper said the same thing, and quoted the preamble of the 1919 Act, that the time and manner of each advance can be determined only by Parliament, upon whom responsibility lies for the welfare and advancement of the Indian peoples. That is true, but I think it was a great mistake for that ever to have been put in the preamble of that Act, because it is one thing which every Indian or Burman I have ever met felt in some way reflected on him. Although it is true that the constitution must come through Parliament, one wants it to come through Parliament with the goodwill of the Burman people, because, after all, the Government of any country can rest ultimately only on the consent of the people governed. We want to get the greatest measure of consent in Burma for whatever kind of constitution is brought out of this Round Table Conference for Burma. We want to avoid some of the errors which were committed in 1919. In 1919 the Joint Select

Committee of both Houses of Parliament decided that the Indian Constitution should be pulled up by the roots and looked at every ten years. As Mr. Montagu, the Secretary of State for India at that time, said in the House of Commons, ten years is a very short time in the history of any nation. It is a very short time, but it may be a very pregnant time ; and ten years at one time may matter not at all, whereas ten months at another time may matter infinitely more.

The Joint Select Committee of both Houses of Parliament in 1919 said that in their opinion a Statutory Commission should not be appointed until the expiration of ten years, and that no changes of substance in the Constitution, whether in the franchise or in the list of reserved or transferred subjects or otherwise, should be made in the interval. That was very quickly found out in India to be a mistake, and in the Legislative Assembly the Home Member, Sir William Vincent, in September, 1921—not very many months after the Constitution had been launched by the Duke of Connaught—said that personally he did not believe the present transitional scheme could last as long as had been expected, and he himself framed the words of a resolution which he moved, and which was carried unanimously by the Assembly, as follows :—

“ That this Assembly recommends to the Governor-General in Council that he should convey to the Secretary of State for India the view of this Assembly that the progress made by India on the path of responsible government warrants a re-examination and revision of the Constitution at an earlier date than 1929.”

That, of course, was done, but that, coming only a few months and not years after the Constitution had been set in motion, shows how very foolish it is to put a definite time-limit on any kind of thing like that. It should grow automatically.

I hope, with Sir Oscar de Glanville, that we shall not attempt anything in the form of dyarchy. We tried dyarchy in India, and I think it was universally condemned as being an impossible system. I always remember the words of the Governor of the United Provinces when he said it was a cumbrous, complex, confused system based on no possible logic at all.

Lord Curzon in the House of Lords said he abominated dyarchy, and Lord Birkenhead, another Secretary of State, said he never supposed that dyarchy was a system which would commend itself to the people of India ; and yet we were rather surprised that it did not work. Personally, I never expected it to work very well, and it did not work very much better than I expected.

In 1924 the Reforms Enquiry Committee was appointed under Sir Alexander Muddiman, the Home Member of the Government of India, and the Minority Report of that Committee said this—the

leader of that minority was Sir Tej Bahadur Sapru, who has taken such an active part and such a good part in the Indian Round Table Conference :—

“ The Constitution should now be put on a permanent basis, with provisions for future automatic progress, so as to secure stability in the Government and the willing co-operation of the people.”

What I hope is that we shall at this Round Table Conference evolve some kind of constitution that may be put on a permanent basis with provisions for future automatic progress, so that we may secure not merely the stability of the Government but the willing co-operation of the people, which is essential. At the same time the “ Statesman ” of Calcutta, a paper that expresses more or less the Government or European view, said in a leading article on the 10th March, 1925, when dealing with the Muddiman Report that in their view :—

“ The next step should not be another transitional constitution carrying with it inevitable agitation for something more drastic, but a definite settlement with an air of finality which will enable Indians to set about the proper tasks of politics and to turn away from the barren work of agitation for constitutional reform.”

We believe that if any constitution is set up it should be some constitution that automatically can evolve, so that we shall have people working that constitution wholeheartedly and not wasting their time on agitation for constitutional reform.

I hope that by being round this table together, by meeting face to face, and by private meetings, as Mr. Isaac Foot suggested, where we can discuss more frankly with one another difficulties that we see and difficulties that you see, we can evolve some kind of constitution that will be acceptable to Burma, and will carry with it loyal co-operation. If we, the British Delegation, can do anything to assist that, all our powers, all our energies will be directed towards that end.

I only wish to say again how much I appreciate the privilege of being on this Round Table Conference, how much I appreciate the privilege of meeting Burman friends, many of whom I have met for the first time, but with whom I hope we shall make friendships that will last through many many years.

*Mr. Kim Seing :* My Lord, it is with some reluctance that I am compelled to deal with remarks that were made yesterday by U Ni and by Tharrawaddy U Pu to-day. U Ni stated that the dyarchical Government of Burma, resting solely on the bed-rock of the official bloc, assisted by a few irresponsible members representing some minority interest, had been trying to rule the majority by

simply opposing their wishes. This statement, My Lord, does not correctly describe the situation in Burma. The Independent Party, which has been described as a few irresponsible members, is the strongest party in the Council. It consists of 16 members elected by special constituencies, 6 nominated members, and no less than 15 members elected by general constituencies. These with the Government bloc totalled 53 out of 103 members. I do not wish to raise any contentious point, but only wish to remove the impression that may be created by U Ni's remarks if allowed to pass unchallenged. A perusal of the Reports of the Burma Legislative Council will satisfy anyone that there is no foundation for such remarks. As a Whip of the Independent Party I felt bound to make this statement.

I have come here, like all other Burmese Delegates, to try and obtain the best possible Constitution for Burma. My Lord, I will not deal with the points which have already been referred to by other speakers, but will confine myself to drawing attention to the necessity for providing in the Legislature of the new Constitution, representation of the landowners. Burma is an agricultural country, and the interests of the agriculturists are of vital importance. If under the new Constitution there are two Houses, then the land-owners claim representation in both Houses.

Lastly, My Lord, I have been asked by the Chinese Chamber of Commerce to put their case before this Conference. Their case is that they should receive representation in proportion to the importance of their commercial interest. I hope that you, My Lord, will allow discussion of these claims when the Conference meets in Committee to consider the composition of the Legislature.

*Mr. Ohn Ghine* : My Lord, I have nothing to add to the joint statement which was submitted on our behalf by U Ba Pe yesterday. I wish very briefly to refer to a few points raised in the course of discussion. Mr. Haji yesterday said : "In reply to Mr. Jinnah's question, the Prime Minister said this on the very last day of the previous Conference, or on the day before, I forget which"—I am quoting his exact words—"gave an understanding that no decision would be taken on the question of Burma until that Round Table Conference had had an opportunity of discussing the question."

He went on to say "probably that would be forthcoming in the course of a third session of that Conference." I would like to explain, first, that there were four stages of the Burma case before the Indian Round Table Conference. First, there was the demand for separation and Dominion Status. That was made on the 1st December, 1930. The second was the sub-Committee stage for Burma. The third was the submission of the Report to the Committee of the whole Conference on January 16th, 1931. The fourth and final stage was reached when on the same date the Report of the Burma sub-Committee together with the comments of the Committee of the whole Conference was submitted to the Conference

sitting in Plenary Session. A reference to the volume containing the proceedings of the Round Table Conference (page 417) will show that the Prime Minister, who was Chairman of the meeting, stated as follows : "The business which is before you now is to note the Reports which you have received from the Committee of the whole Conference, and that, of course, enables you to raise everything" The Reports included the Burma sub-Committee Report. On January 19th the following resolution was passed : "The Conference sitting in Plenary Session has received and noted the Reports of the nine sub-Committees submitted by the Committee of the whole Conference with comments thereon. These Reports, provisional though they are, together with the recorded notes attached to them, afford in the opinion of the Conference material of the highest value for use in the framing of a Constitution for India. . . . ." I think that this clearly establishes the fact that the Indian Round Table Conference did receive the Report of the Burma sub-Committee and did accept it without comment.

*Mr. Haji* : Will you refer to Mr. MacDonald's reply to Mr. Jinnah on January 16th ? I think you might read it. I know it does not suit you to read it.

*Mr. Ohn Ghine* : In my opinion, there can be no question of any further reference to that body. In any case, the question of a new Constitution for Burma is mainly the concern of its people. If we in this Conference reach any definite conclusions by agreement, then the only parties whose consent we need to seek are the British Parliament on the one hand and the people of Burma on the other.

We in this Conference do not actually represent the people of Burma, as we are not sent by them, but we do say that we can fairly accurately interpret their desires, and, in the event of an acceptable Constitution being agreed upon, we hope that Parliament will lose no time in giving it legal effect. If we fail to secure agreement we shall be committed to nothing.

My friend, Tharrawaddy U Pu, has made many remarks this morning which cannot pass unchallenged, but I have no doubt they will be taken in the spirit in which they should be taken, and I will not take up the time of the Conference by refuting them in detail. I will only say this, that in pressing for separation U Ba Pe made it quite clear in the Indian Round Table Conference, and also in Burma, that his party, to which I also belong, would agree to it only as a means of securing immediate Dominion Status. You can refer to the proceedings of the Burma Legislative Council. I should like my friend to understand that the acceptance of the principle of separation for a certain purpose is one thing, and giving effect to the principle is another.

Tharrawaddy U Pu also suggested that the rebellion was partly a protest against separation. The late Saya San might have said

that in court ; he might even have been advised to say that. We must all reject the idea that the rebellion was the result of the move for separation.

Referring to another point, yesterday there was a dispute as to whether the recent pledges made to India could be taken as applicable to Burma. I wish to support my friend Sir Oscar de Glanville, and say that it was the understanding of the four Burma Delegates to the Indian Round Table Conference that they did apply. This we feel, was also made clear to us in the Burma sub-Committee, and in any case the following statement by the Secretary of State for India should throw light on this question.

*Chairman* : What is the date of that ?

*Mr. Ohn Ghine* : The 20th July, 1931. It is in answer to Mr. Freeman, who asked "Do the pledges given by this country to India include Burma, and can the Right Hon. Gentleman say that any Constitution given to Burma alone will not be inferior to that of the rest of India ? " This is the reply of the Secretary of State : " All the pledges made to Burma as part of India stand." Burma is still part of India, and therefore my contention is that all the pledges are applicable to Burma.

*Tharrawaddy U Pu* : May I be allowed a word of personal explanation on one point only ?

*Chairman* : You are entitled to make a personal explanation.

*Tharrawaddy U Pu* : My friend Mr. Ohn Ghine, in referring to my remarks about Saya San's statement, said something to which I desire to reply. Saya San, in one of his three statements, said that he opposed separation and as far as I remember—there is a written statement filed in the court—he said he would resist the forcible separation of Burma. That meant he would resist it if the Government attempted to force separation down the throats of the Burmans. That was one of his grounds, My Lord, for his taking up arms against the Government. That was set out clearly in his written statement filed before the special tribunal presided over by an English judge, Mr. Justice Cunliffe, a justice of the High Court of Judicature at Rangoon.

My Lord, I happened to be the junior Counsel in that case. It was defended by my colleagues Dr. Ba Maw and Barrister U Tun Aung Gyaw.

When this point was brought to the notice of his Lordship, Mr. Justice Cunliffe, he went through the records to find any expression of opinion against the separation question in any of the documents which had been seized before we got into the case. In one of the documents it was plainly stated by Saya San that he opposed separation and that he would oppose separation as it was

then proposed by the local Government. That was recorded there in the exhibited document which was seized before we had met Saya San. As a matter of fact I did not know Saya San. The other lawyers too did not know him. We went to the Court long after his arrest in order to defend him, at the request of our friends from Tharrawaddy. The document was examined carefully; and at long last it was found that it was really Saya San's opinion—Saya San's work before he had seen any of the lawyers. Therefore, I beg to ask my great friend Mr. M. M. Ohn Ghine to be pleased to withdraw the indirect accusation that I might be the Counsel who instigated Saya San to put his statement in Court in that way.

*U Aung Thin* : My Lord, this morning Lord Winterton was very kind in saying nice things about Burma. I should like to say a word in reply. If Englishmen leave their hearts behind in Burma they take our hearts away.

Next, My Lord, I should like to explain the position occupied by the Independent Party in the Legislative Council. There are in the Council, members like my friend Tharrawaddy U Pu, who came to the Council not to work it, but to destroy it. There are others in the Council who would even go to the length of seeking to justify rebellion. Amidst these counter influences the Independent Party has considered it its duty to support the Government, to help it to carry on its administration and construct its programme. The Independent Party, of which I am one of its representatives here, has all along identified itself with the principle of steady and sure progress. When dyarchy was introduced the Party, then known as the Progressive Party, recognised the limitations and imperfections of dyarchy. Yet as a step towards the realisation of the ultimate goal of self-government the Party bore the brunt and helped the work of dyarchy as successfully as could be.

That stage, My Lord, is now passing and the Party is prepared to go as far forward as is possible towards the attainment of self-government for Burma. Sir Oscar de Glanville, the leader of the Party, has outlined the new principles of the new Constitution for Burma. He has made it quite clear that the principle of responsibility should be introduced as fully as can be, with adequate safeguards and such reserved powers as may be necessary. What those safeguards and reserved powers should be will be examined later. As far as I know this attitude of the Independent Party towards the future Constitution is what reasonable sections in Burma would have this Conference take up as being both honest and practicable.

Being an Arakanese, My Lord, I should like to say a few words about Arakan, that much neglected part of Burma. Arakan, with a population of about  $1\frac{1}{2}$  millions and cut off from the rest of Burma by mountains and sea, claims a representation adequate to its numerical strength and variety of interests.

Being a member returned from the Mandalay urban constituency, I should like to draw attention to the special claims of Mandalay to ask for representation of the indigenous trading interests of Upper Burma in the Legislature.

Mandalay was the royal city of Upper Burma, and is now the second city in Burma. It is the great emporium and distributing centre of Upper Burma. The indigenous trading interests of Upper Burma are closely connected with and dependent upon the distributing powers of that great city, and the indigenous trading interests of the city being in close touch with similar interests in the districts of Upper Burma—a special representative of these interests will be of great service to the Legislature.

Lastly, being a Muslim myself, I have been asked by the Burma-Muslim Association to place their views before this Conference. The views of the Association are fully stated in its memorandum submitted to the Indian Statutory Commission, and appended in Vol. XVII, part II, page 434, together with the oral evidence given on its behalf by Mr. Rahman, Barrister.

The Burma Muslim Community is about 300,000 in number. In number they come next to the Karens among indigenous races. They have a large stake in the country—larger perhaps than their number would indicate.

They had their distinguished career in the past, under the Burmese régime, and less, but still in good measure, during the British rule until the introduction of reforms; when the paternal care and attention of the Government began to be gradually but perceptibly undermined by the accession of the Reforms. The difficulty of this community is, that while they are as Burman as any other inhabitants of the country, they still feel, through experience, that owing to the fact that their religion differs from the religion of the majority, it is unsafe to dispense with the protection necessary to safeguard the community's interests.

They consider it absolutely necessary that there should be statutory recognition of their rights in common and at par with those of the majority. They consider that they are entitled to special electorate, as they have for municipal elections.

They would, however, be prepared to go on with the general electorate with the majority provided there is due reservation of seats or some other suitable and satisfactory method to ensure the representation of the community, and lastly, they claim the unfettered right to follow their own religion, religious instructions and their law of inheritance, and that there shall be no discrimination on the grounds of religion.

*U Ba Si*: I did not intend to speak, in view of the fact that we had put in our statement, but as a few points cropped up in the course of discussion, I feel bound to make certain remarks.

I can associate myself with the views which Tharrawaddy U Pu expressed this morning on the subject of the demand for self-government, but when he came to the question of the strength of the different parties in Burma he dwelt so long on the subject, which is hardly an issue before this Conference, that it became very unpleasant and almost nauseating. On the question of party strengths, I beg to point out that on almost every point he has taken up I am ready to join issue with him, but here in this Conference I shall not do that, because it would be like cutting off one's nose to spite one's face. We shall deal with these questions more conveniently when we get back to Burma. He referred to the fact that those who are not in favour of separation are in the majority in the country.

I should like to mention, however, one salient event which occurred only recently, and which is so fresh in my mind that I should like to mention it to the Conference. It occurred only about three months before we left to attend this Conference, and it occurred at a bye-election held in the Toungoo North constituency. That is the place where my friend Tharrawaddy U Pu resides, and it was a stronghold of the anti-separationists. The election took place owing to the death of a gentleman who was the right-hand man of Tharrawaddy U Pu. There were two candidates; one was put up by Tharrawaddy U Pu's Party, the so-called anti-separationists, and the other stood as a separationist and belonged to our party. It was a hot contest, and was fought on a clear issue, the clear issue of separation, and the anti-separationist candidate was defeated. The man elected attended the last Council meeting. His name is U Ngai.

The next point I should like to take up is, that in the joint statement that we made we asked for a constitution modelled on that of the Irish Free State. One speaker—I think it was Sir Oscar de Glanville—remarked that it was rather vague. I should like to point out that when the Simon Commission came to Burma there were three draft schemes for a constitution submitted before the Commission. One was drawn up by the Separation League, of which my friend U Maung Gyee, an ex-Minister, is the President. Another scheme was submitted by a League called the "Burma for Burmans" League, and a third constitution was submitted by an Association called the "British-Burman Association." British-Burman means Anglo-Burman. All these three constitutions were modelled on the Irish Free State Constitution. The Irish Free State Constitution is familiar and well known in Burma; it appeals to the sentiments of the Burmans and is well suited to the conditions of Burma. No wonder that we are called the Irish of the East. In that Constitution all the fundamental rights of citizens are safeguarded; all the vested rights are safeguarded. If my friends representing the minority groups wish us to consider further

protection than what is contained therein, we have stated in our joint memorandum that we are prepared to do so.

The next point that I would like to take up is the remark made by Mr. Harper yesterday. I am sorry he is not here. He said :—

“ Perhaps I do not follow entirely Sir Oscar de Glanville in what he said about the transfer of law and order ; but I follow him in endorsing entirely the opinions expressed in paragraph 18 of the Report of the Federal Structure Committee of the other Conference which he had read to us.”

So that one point he is not willing to give us, and another point he is willing to take for himself. Britishers are noted for their liberal-mindedness and sporting spirit. The policy of “ give and take ” is spoken of everywhere. According to his remarks it does not indicate that this is in accordance with that policy of “ give and take,” because he likes to take while he does not like to give.

He took up another point when he spoke about our fitness. He says :—

“ In the fulness of time Burma will take its place as a loyal self-governing unit within the British Empire.”

So that the time is not ripe yet according to him ; it is not full yet. When the time is considered to be ripe and fit I am afraid the Burmese nation will not be in existence. The question of fitness is a very antiquated excuse. This excuse has been repeated with such insistence that it has become ridiculous. The Siamese, you will remember, just before you came to Burma were a subject nation under the Burmese. While a nation like the Siamese can manage their own affairs there is no reason why the Burmese, who have been under your tutelage for the past century, should not be fit for self-government. So that this question of fitness has, if I may say so, become like adding insult to injury ; and, if you will permit me to say so, I hope I am not too frank, it sounds rather queer to mention the question of fitness at a time when you have made a muddle of your own affairs here. You have got a national crisis here just as we have ; but you have the remedy in your own hands ; you establish a National Government at once. But in our own case when we have our own national crisis we are powerless.

In connection with that I would just like very briefly to refer to a certain passage uttered by our late Lieutenant-Governor, Sir Reginald Craddock, about 12 years ago, before the introduction of dyarchical reforms to Burma.

Sir Reginald Craddock said—this was in 1919—

“ It can be confidently affirmed that Burma is endowed with many advantages, notably in respect to those conditions which favour development on democratic lines. Thus she is free from those religious dissensions which militate against the

co-operation of men of different creeds. Toleration of the scruples of others is a ruling tenet of her religion. There is an entire absence of caste, and no marked cleavage of a social distinction or occupation exists. The man of humble birth in Burma has always been able to rise as high as his ability or his education might carry him. . . . Burma undoubtedly offers a more promising field than does India at the present juncture."

This was followed by other opinions given by Sir Frederick Fryer, also a Lieutenant-Governor there. This is dated October 17th, 1919—

" I consider that Burma is quite as fit for responsible government as India, but Burmans are not in religion, race, or habits in any way identical with Indians and the form of responsible government that may be suitable for India may not be equally suitable for Burma, and should, if necessary, be altered to suit the different conditions of Burma. For instance, I think that there is no reason why women should not have a vote in Burma, but I do not consider that women should have a vote in India."

The next testimony is from Sir Herbert Thirkell White, also a former Lieutenant-Governor of Burma. His letter is dated October 17th, 1919.

" If India is fit to enjoy reforms in the direction of responsible government—a point on which I express no opinion—I think that Burma is probably better fit to do so."

What better authorities do we want? With all these conditions favourable to the establishment of a responsible government, it is such a pity that the country has been allowed to drift into the present chaotic state of affairs. With these favourable conditions, it has long been a possible thing to establish democratic institutions there, and you would have been able to show to the world that here is a country in the East where democratic institutions have been established. It would make a fine model, a perfect model of democratic institutions.

My Lord, I think this question of fitness finds no place in such a Conference.

I should also like to point out one or two things about the education there. A remark has been made by one of the speakers about lack of higher education, or something like that. I should like to point out that Rangoon University is now one of the most splendid in the East, and so many Burmese are now coming from Rangoon University, from the Universities in India and from the English Universities that there is congestion and some of them are idling for want of jobs. Our legal profession is so over-crowded that arrangements have had to be made to restrict the number of Pleaders, and the number of Barristers-at-Law, Bachelors-at-Law and other advocates of the High Court is so large that, as I think my friend Sir Oscar de Glanville will agree, there are more dogs than bones.

*U Chit Hlaing* : My Lord, I rise to draw the attention of the Burma Conference to the fact, that in the first Indian Round Table Conference, those who were opposed to the immediate separation of Burma from India were intentionally kept out of the Conference by the Burma Government. The main reason for that exclusion was that the Burma Government considered that those who boycotted the entry of the local Legislature and the Indian Legislature, were the active boycotters of the Simon Commission when it visited Burma. Their representations to the Burma Government on political matters were entirely ignored, although such representations to the Indian Government received some consideration, with acknowledgments and replies. It was the intention of the Burma Government to ignore the anti-separationists so that nothing could be said against separation at the last Indian Round Table Conference. When messages from the General Council of Burmese Associations were sent to some of the members of the first Indian Round Table Conference, messages opposing the principle of separation, those messages were treated with a certain amount of contempt by some members of the Burma sub-Committee when they were read at the meeting.

I have every reason to speak with authority, because I have been President of the original General Council of Burmese Associations since 1918, and, though there have been a few cases of secession from that Council by various bodies, the General Council of Burmese Associations is still maintained under my Presidency up to date, in spite of attempts to disorganise it by the Burma Government.

The first seceders were members of the party known as the "Twenty-one Party" in 1923, with the main object of entering the Legislative Council under the Government of India Act, 1919, when it was first enforced in Burma, in spite of the strong objection by the special Conference of the General Council to boycott such entry. There were some further seceders from the General Council led by U Soe Thein in 1925 who formed another Party; and in 1929 U Su formed another Party from U Soe Thein's Party. Between 15 and 20 lakhs of people are members of three General Councils. It is clear from the records that the "Twenty-one Party," with a few additions, formed into another party known as the People's Party, amongst the Burma Legislative Council members and some few thousands as supporters from some places where they secured votes at elections.

The Burma Government, though willing as far back as 1921 to abolish capitation and thathameda taxes and substitute them by circumstantial tax, passed the Burma Rural Self-Government Act whereby villagers were allowed to be represented in village elections, Circle Councils and District Councils, but were not yet empowered to levy the circumstantial tax as provided in that Act. Since strong agitations were raised inside and outside the Burma Legislative

Council, a Committee was formed in 1925 from the Councillors to enquire into the taxes and see what substitutes should take their places. The Enquiry Committee was presided over by Mr. T. Couper, I.C.S., and after a lengthy enquiry the majority recommended the abolition of both taxes, and suggested instead the levy of some taxes and that efforts should be made to secure some money from the Government of India received from certain duties from Burma. The minority, consisting of Mr. Couper and another, also recommended the abolition of both taxes but suggested the levy of circumstantial tax on a certain basis. The Reports were turned down in 1927 in respect of the abolition of the two taxes, and the enforced levy of the taxes caused a few millions to be greatly dissatisfied.

Early in 1928 the paddy price in Burma began to decline from over Rs.200 to Rs.150, and in 1929 it further declined from Rs.150, ending with Rs.120. In early 1920 the paddy price began with Rs.120 and ended with Rs.80 in December 1930, when the unrest known as the rebellion broke out at Tharrawaddy on the 22nd December, 1930. A few weeks prior to that disturbance the Burma Government was approached by leaders of various parties to reduce the two taxes, land revenue and to postpone their collections by a delay of a few weeks. The Burma Government paid no heed to such requests, and, as the annual average income of the peasants was reduced from about Rs.120 to Rs.50, with the same tax to pay in such a short time, with the paddy price prospect on the decline, this caused a few thousands of people to resist the demand of the capitation tax, the collection of which began early in January. I may here explain that capitation tax and thatthameda tax have been levied in Burma, and these are paid by all males between the ages of 18 and 60. Mr. T. Couper explained that they are unfair and inequitable, since the tax is payable by males equally whether they earn Rs.50 or Rs.1900 per annum. However, no heed was taken by the Burma Government, in spite of such an authority as Mr. T. Couper who is now Finance Member of the Burma Government. It might not be difficult for peasants to pay Rs.5 per married couple or Rs.2 annas 8 for a single male when earning about Rs.100 yearly ; but when earning power ran down to Rs.50 yearly, it was most unreasonable to demand the same tax payable, and within the month of January when there are very few buyers of paddy even at low prices.

Such was the state of affairs when the rebellion broke out, and during the February session of the Burma Legislative Council, resolutions for postponement and reduction of taxes and land revenues were passed with large majorities. However, the Burma Government declined to accept the Council's recommendations, and caused taxes and land revenue to be collected as usual. Soon after such repression the rebellion extended to a few other districts in March and April, 1931.

I may here state this on the authority of Sir Henry Howard, who urged that the receipts of about 105 lakhs from these two taxes should be excluded from the calculations of the Central and Provincial revenues received in Burma and the rest of British India, since they form no counterpart in the remainder of British India.

I would refer to page 45 of the Report. In my opinion the abolition of capitation and thatameda taxes will create a great measure for the pacification of the country, and the grant of general amnesty to all rebels at this crisis will lead the masses to the general belief that the British people are always amenable to reason, and show humanity when opportunity arises. Being in touch with some people living in districts affected by the rebellion in Burma, I have every reason to think that pacification of the country can only be achieved by the Burma Government's co-operation with the leaders of the country, and I beg to urge the British Government to take this matter very seriously in hand with a view to the early pacification of Burma.

I have been given to understand that the Burma Government has submitted copies of the printed memorandum for the future constitution of Burma. When Burman Delegates asked for copies in early October, 1931, before departure from Burma, they were told that they could not be given without the sanction of the Secretary of State for India, to whom the memorandum had been submitted. In our opinion such things should be known to the Delegates of the Conference, especially when we are considering a constitution for Burma at this Conference. It is possible that, as reported in the Burmese press, this document is of a reactionary character. If so, one can understand why the Government is not willing to allow it to see the light of day. After an experience of 25 years of Burmese politics, I have every reason for believing that no constitution other than that giving full and immediate self-government will satisfy the people of Burma.

When our deliberations are finished, I trust my people will have an opportunity of expressing their opinions on the proposed constitution, and should it happen that owing to limitations or any other reasons, the constitution for a separated Burma is not acceptable, it is only fair to them that they should have a chance of knowing beforehand the conditions under which their representatives assembled in this Conference are prepared to join the Indian Federation if necessary. It is therefore most imperative that when our countrymen are faced with a choice of constitutions they should have before them both alternatives so that they can arrive at a final decision in full knowledge of all the relevant conditions.

*Chairman* : I do not want to detain you for more than a moment of two from proceeding to the next business, but I should like to say how interesting to me this debate has been, because I think we have had a great variety of points of view very fully placed before us by

the different Delegates. May I say also that, on the whole, they have been presented to us with great brevity, and also with great clearness. I think all of us who are not so familiar as you are with Burmese affairs have gained a great advantage from these discussions, and we shall proceed to the examination of the details of the constitution with greater facility and success because we have had this general discussion.

It has been mentioned, I think, by more than one speaker, or at any rate suggested, that the members of this Conference are not fully representative, and I think one member, addressing me, said : " You have not selected them in a fair manner." Well, I did not select the members of the Conference, but I should like to say this, that I cannot imagine that the different points of view held by people in Burma, whether Burmans or belonging to the minorities, could have been expressed to us more forcibly and more clearly than they have been by the present Delegates.

May I say also, because I have passed a good many months at the Indian Conference and it shows how history repeats itself, that there has been exactly the same charge brought against the members of the Indian Conference. It was brought against them by Mr. Gandhi, who said they were not representative. On that occasion the statement was received with strong indignation by the Delegates, and delegate after delegate rose up and explained that he was very representative of his particular section or part of the Indian peoples. I hope, therefore, that we may proceed on our investigation of the constitution without being troubled by any suggestions that gentlemen here are not representative, because, if they are not representative, they are certainly, if I may say so, extremely capable, and that is, I think, as important as the other.

Another point that has been mentioned is this. A good deal of expression has been given to suspicion of the attitude of the Government here—not merely of the present Government here but of Governments here and of Parliament here. I know it is very difficult always to rebut suspicions, because all one can say is that these suspicions are groundless. But I think this will be some consolation to those who hold them or have expressed them : that the mere fact of the calling together of this Conference of representatives from Burma is surely a great testimony to the fact that the Government is proceeding, and Parliament is proceeding, with the best intentions to the Burmese people ; for, surely, it would not have called them here in order that they may have full opportunity of discussing all these questions with perfect freedom had it intended to treat them with anything short of full justice.

Of course, I do not complain at all of the fact that expression has been given to these suspicions. I think it is a very good thing, because we are here for the purpose of a free discussion. Indeed, I think we are indebted to those gentlemen who have put all those

views so very clearly before us. What I would propose is this : from now onwards I would ask members of the Conference at least to put aside those suspicions ; because if we are going to proceed through a very difficult and possibly detailed investigation of a constitution, I think we can only do it having full confidence in each other's integrity and common-sense.

May I mention further that another suspicion to which expression was given, was that the Burmese were to be put off with what is called an inferior constitution, and that the only object, or one of the objects, of separating them from India was in order that they may be endowed with what is known as a Crown Colony constitution. Well, I have heard that repeated or said here and I have heard it repeated from Burma, but I have never met anybody in this country use that expression. I think I may have some right to answer at least for my own countrymen. I have never heard that expression used in any quarter of this country. It is a purely Burmese product, and I think it is one of those Burmese products which, unlike their other products, is not exportable and should not be exported. Anyhow, I think I can give it a vigorous denial.

I should like to state also that we have had the great advantage of hearing an expression of views from the different parties. I have heard a great deal about these parties in the course of this discussion. I have learnt, for one thing, that each of these parties is the largest party in the Burmese Council, and my Oxford training and mathematical training has been rather exercised to see how these things could be composed. I am perfectly willing to give credence to the fact that, of course, all these parties are of great importance. I may say also that I do know something of the history of these parties and how they have been formed and reformed.

We have heard a great deal, too, about the position of women. We have heard a very interesting statement from Miss May Oung, as to the position of women. I understand that though there is perfect equality between the sexes, the men still have the privilege of paying mainly the household tax and the thathameda tax. It did not strike me, therefore, that there was full equality ; but that may be at some time removed.

A good deal has been said also about the Indian Conference. I think the Indian Conference has, to some extent been maligned by some of those who have spoken ; because certainly any decision that was taken about the separation of Burma from India was purely provisional ; it was dependent upon further examination and further expressions of opinion. I really do not think that a charge need necessarily be brought against the British Delegates on that occasion, because when the subject was reported to the Plenary Conference there was no discussion ; but the subject was open for discussion, and anybody who chose could have expressed himself. There was certainly no gag imposed by the Government

in any sense upon the free discussion of that subject. But I think we can possibly leave that aside now as part of ancient history, because the summoning of this Conference has really superseded what took place there. The field is now open for free discussion. Each Delegate can express himself as he likes, and I think there is no fear of these subjects passing *sub silentio* in this Conference.

Perhaps I may say something further about the suspicions which have been aroused. They might possibly to some extent mar our close investigation of the Constitution for Burma. There is, or there might be, a tendency to examine the proposals put forward by different Delegates for the new Constitution for Burma in the light of exactly what is given to India.

I am not very anxious myself to pursue that line of thought, because I feel rather strongly that the conditions in Burma are so different. First of all, it would be a unitary government, instead of a federal government ; there seems to be no difference of opinion on that point among the Delegates. Therefore, it would be rather difficult to compare with an Indian constitution, and, after all, the constitution I hope we shall frame will not be by reference to India and its requirements, but to Burma and its requirements. It is the conditions of Burma we ought first and fully to consider, and not merely what is done in India. I am sure there is plenty of ability and constructive power in this Conference to make proposals which will be suitable to Burma and to the conditions in Burma itself.

I should like to make this one point, too, as a general observation bearing on our future discussions. I do not intend at all to be tied or troubled by any precedents of what happened in the Indian Conference ; but it is obvious that when you begin to frame a constitution you must begin at one end of it, and that your views on one portion of that constitution may be affected by decisions or conclusions you may reach at a later stage. Perhaps we ought to agree that, in our early stages, the views we express must be considered of a provisional nature, and we should not charge it as inconsistency against any member of the Conference if at a later stage, as a result of what has taken place, he chooses to revise his earlier opinions. We might relieve our minds in that way to some extent.

There are only two other points to which I wish to allude. One is the reference to action after the Conference. There has been some difference of opinion expressed among the Delegates, especially among the Delegates on my left. U Ba Pe was urging—I have the report of his words before me—that the constitution should be brought into effect at an early date. He mentioned April, 1932, and there I think he is rather sanguine. But he also said ; “ We cannot agree that there should be an interval between our settlement with you here in London and the introduction of a new constitution

into Burma." There may be some slight disagreement or there may not, and two other Delegates have said that they want to construct a constitution here, and then they want to be in a position to judge whether their condition would be better or worse if they remained in the Indian Federation or set up as a separate Burma. I have some sympathy with that point of view because of the caution it displays, being of a cautious race myself. But I think there is some difference of view, because it is quite clear that if we arrive at general conclusions here, and there is to be no interval, there would be no opportunity for that consultation with the parties concerned which the Government said they were prepared to give, and which, I understand, some of the Delegates are anxious to secure. I do not wish to pursue that point further, because, no doubt, at a later stage, discussion may arise upon it, but I mention it in order that there may not be misunderstanding at that later stage. We cannot, perhaps, consider this work of our Conference as the final stage. There may be, and probably must be an opportunity of consideration. It may be that the Delegates will be so satisfied with their constructive efforts that they will not wish for any further consultation ; but we can perhaps put that aside for the present.

The last thing I would like to say is this. I trust that our labours may be successful. May I say I am entirely in sympathy with some of the observations which have fallen from some of my friends on my right about Burma and the Burmese people, and their relation with ourselves. I certainly trace some resemblance between the two people. I think we both claim to have a substantial share of common-sense, and I think that my friends on my left and my right make the same claim. I think, also, we claim to be a good-humoured people and, I think, you also make the same claim. Undoubtedly we both have a sense of humour ; that I think is the most important thing of all. I hope that will afford a soothing mixture through all the difficulties and, possibly, controversies into which we get during the course of our discussions.

Perhaps I may, therefore, close this present discussion with thanks for the Delegates for the frankness and fulness, and also the brevity with which they have spoken. I feel that we can, with good augury, commence the more detailed discussions in which we are going to indulge, and that when we arrive at the stage of turning ourselves again into a Plenary Conference from a Committee of the whole House we shall not be dissatisfied with our labours.

*(The Conference adjourned at 5.3 p.m.)*

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## REPORT OF THE COMMITTEE OF THE WHOLE CONFERENCE.

### PREFATORY NOTE BY THE CHAIRMAN.

In preparing the Report of the Committee of the Conference, I have deliberately refrained from mentioning by name the individual exponents of particular views, and, so far as possible, from attributing particular opinions to particular groups of Delegates. In doing so I have followed precedents set by the Indian Round Table Conference and international Conferences. The purpose of any Conference being to achieve, by conciliation and accommodation of view, agreement on the subjects under discussion, it is the aim of a *rappoiteur*, in the pursuit of agreement, to present the general sense of the opinions expressed; and, strictly, my duty as *rappoiteur* would perhaps have been fulfilled by the presentation of the record contained in the last section of the Report of the points on which general agreement has been reached in the Committee. But the importance to Burma of the matters under discussion is so great that I have thought it necessary to include in the Report the views which have been expressed in various quarters even when agreement has been lacking.

Any attempt to assess the influence of the exponents of different views in the Report would be clearly improper, and to catalogue the supporters and opponents of every view recorded would not only be to attempt something new in the practice of Conferences, but would in my view be both a cumbrous and unnecessary proceeding. The views of individual Delegates can be ascertained at any time by reference to the *verbatim* records of the Conference.

PEEL.

5th January, 1932.

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## R E P O R T.

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### **Introductory.**

1. The Conference was resolved, on 7th December, 1931, into a Committee of the Whole Conference, and proceeded to consider the Heads of Discussion which were laid before it by the Chairman. These were discussed *seriatim* by the Committee sitting almost daily till 22nd December, 1931, inclusive ; and the following Report records the opinions expressed and the conclusions reached on each.

### **The Federated Shan States.**

2. Before proceeding to consider the structure of the Legislature for a Burma separated from India, the Committee turned their attention to the question of the position to be occupied by the Federated Shan States in relation to the government of a separated Burma. It was evident that the decision of this question would materially affect not only the composition of one or both Houses of the new Legislature, but perhaps also the whole nature of the government to be established.

3. *Plea for maintenance as Separate Entity.*—The Shan States' Delegation, both in discussion in Committee and also in a letter\* circulated subsequently, plainly indicated that while they had every sympathy with the aspirations of their Burman friends and neighbours, their first objective was to preserve the separate entity of the Shan States Federation. With this aspiration the Committee generally expressed sympathy. As to their position in the polity of a separated Burma, the Shan Delegates indicated that the wish of the Chiefs, whose unanimous views they represented, was to maintain the position of the Federation in the direct charge of the Governor, subject to certain modifications which they desired in the internal administration.

4. *Matters of common concern.*—It was recognised on all sides that between entities so closely knit as Burma and the Shan States Federation (which is not merely a neighbour, but actually within the territorial limits of Burma) there must be many matters of common interest which it will be necessary to regulate. In the event of

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\* *Vide Appendix I.*

Burma being separated from India, Burma will have additional responsibilities to undertake and new liabilities to meet ; she will, however, gain new assets. The Federated Shan States, as part of the Burman polity, wish to bear their due share of such liabilities, provided that in return they receive their due share of the additional assets, *e.g.*, customs receipts, which may be expected to accrue as the result of the separation of Burma from India. How this share of liabilities and assets should be determined will be a matter for careful enquiry ; and this question should, in the view of the Shan Chiefs, be dealt with by the Governor.

5. On this basis the view was taken by some members of the Committee that there can be no advantage in the Shan States taking a direct part in the government of Burma proper nor in having any representation in the Legislature of Burma. The Shan States' Delegates, however, are of opinion that the possibility should not be excluded of the Federation having representatives in the Upper Chamber for the discussion of matters of common concern. Some Delegates desired it to be recorded that the subject was only briefly alluded to in the proceedings of the Committee.

### **The Legislature.**

#### **(I) *The Second Chamber.***

6. *Desirability of Second Chamber.*—There was unanimous agreement upon the desirability of a Second Chamber, though many Delegates considered that the necessity for the Chamber depended on the grant to Burma of full responsible self-government.

7. *Name of the Chamber.*—The majority view was that the Second Chamber should be called the Senate.

8. *Powers of the Chamber.*—Many Delegates considered that the Chamber should have powers limited similarly to those of the Senate in the Irish Free State, as expressed in Article 35 of the Irish Constitution. The opinion was expressed by other Delegates that the Senate should have equal powers with the Lower House in every respect except the grant and withholding of supply. It was suggested that in the case of a refusal by the Lower House to sanction a grant deemed by the Governor necessary for the carrying on of government, the Governor might be empowered to obtain the necessary sanction from the Senate. This suggestion was not supported.

9. *Size of the Chamber.*—Numerical suggestions ranged from 30 to 60, but stress was laid generally more upon the proportion to be borne to the size of the Lower House than to the actual numbers. The proportions suggested varied from one-fifth to a little less than a half of the size of the Lower House, a number of Delegates being in favour of one-third.

10. *Composition of the Chamber.*—General opinion was in favour of a Chamber composed partly of nominated and partly of elected members, though there was divergence of view whether election should be direct or indirect, that is by the Lower House.

A substantial number of Delegates proposed that 50 per cent. of the members should be directly elected on a territorial basis, 25 per cent. elected by the Lower House from a panel of men of experience, and 25 per cent. nominated by the Governor acting with Ministers for the purpose of explaining and supporting Government policy and for the protection of minority interests. Others proposed that 50 per cent. should be elected by the Lower House and 50 per cent. nominated by the Governor. One Delegate suggested that part should be elected by electoral colleges, part by the Lower House, and part nominated by the Governor acting with Ministers, for the protection of minority interests.

11. *Method of Election to the Second Chamber.*—Considerable discussion took place, first, as to the method of election of the elected element, and secondly, as to the method by which the interests of minorities and special interests should be protected.

12. *Direct and Indirect Election.*—As regards the method of election there was a clear cut division of opinion between those who favoured the system of indirect election by the Lower House, and those who supported direct election.

Figures\* were supplied to the Committee indicating the distribution of voters in the various constituencies on the basis of 30 directly elected members on the qualification of the vote for the Indian Legislative Assembly and Council of State respectively. Opinion was divided, in the light of these figures, as to whether the method of direct election would be fair and practicable, for example, in respect of Rangoon Town.

13. *Representation of Minorities and Special Interests.*—The necessity for the protection of minorities and special interests in the Chamber was strongly pressed by the interests concerned, but no general agreement was reached as to the most suitable method. One opinion was that, on the assumption that minorities would continue to have direct representation in the Lower House by means of separate electorates and that the elected element in the Senate would be elected by the Lower House, the minorities would probably obtain some representation in the Senate. Other speakers, taking the line that there must be some better guarantee of adequate representation of minority interests, advocated nomination of minority representatives by the Governor. One Delegate agreed that such nominations might be made on the advice of Ministers. The suggestion was also advanced that minority seats might be filled by direct election by the communities and interests concerned.

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\*Vide Appendix II.

14. *Nomination of Officials in the Second Chamber.*—It was also proposed that the nominated members should include some officials, whose experience would be very valuable to the Chamber in the early years of the new constitution : but the opinion of the greater number was that officials should not be eligible for selection for the nominated seats.

Some Delegates, while objecting to the appointment of officials as the Governor's nominees, would agree to nomination by the Governor, acting with Ministers, to 25 per cent. of the total seats, of persons to represent the Government's policy and support it.

15. *Tenure of Seat.*—There was general agreement that the tenure of a seat in the Senate should be for six or seven years, and that about one-third of the members should retire in rotation every two or three years, though some Delegates preferred to apply the system of retirement in rotation only to such members as might be nominated or indirectly elected.

16. *Qualifications of Electors.*—It was generally agreed that the qualifications of electors should be higher than in the case of the Lower House. Some Delegates suggested the adoption of the qualifications which at present exist for the Indian Legislative Assembly. One Delegate advocated the present qualification in Burma for electors to the Council of State in India.

17. *Qualifications of Candidates.*—It was unanimously agreed that the qualifications for candidates must be more restrictive than for the Lower House, but no final conclusion was reached as to their precise nature. Some Delegates favoured the present qualifications of candidates for the Indian Legislative Assembly with the addition of past and present Presidents of Municipalities and District Councils ; others favoured the qualifications applicable to the Council of State and yet other high property qualifications, or the holding of responsible posts or some specified educational tests. On the other hand it was pointed out that if the qualifications were fixed too high some communities, e.g., the Karens, might be altogether precluded from putting forward candidates.

18. *Life of the Chamber.*—It was generally agreed that continuity is desirable in the life of the Senate and that it should be dissolved by the Governor only in special circumstances, such as the occurrence of a complete deadlock between the two Houses.

19. *Casual Vacancies.*—The question of the method of filling casual vacancies was not generally discussed, but a suggestion was made that they should be filled by whatever method had been employed in the case of the previous holder of the seat.

(II) *The Lower House.*

20. *Name of the Lower House.*—The majority view was that the Lower House should be called the House of Representatives.

21. *Size of the Lower House.*—The lowest figure suggested for the membership of the new House was 103. This is the size of the present Legislative Council, and the figure was put forward on the assumption that the seats now held by the “official bloc” would be thrown open to election. On the other hand, a considerable number of Delegates proposed a House of from 180 to 200 members, justifying this figure on the ground of the necessity of splitting up the present over-large rural constituencies. An increase in constituencies would in their view be even more necessary if adult suffrage at 21 were introduced, which would result in a total of 4,000,000 voters. A ratio of one seat to every 20,000 voters was suggested.

There was definite support for a proposal that, having regard both to expense and efficiency, the House of Representatives should consist of from 103 to 150 members. Those supporting this proposal questioned the advantage of giving Burma a larger proportion of members to the population than is the case with other countries in Europe or in the East.

22. *Life of the Lower House.*—It was unanimously agreed that the maximum life of the Lower House should be five years.

23. *Officials in the House.*—There was unanimous agreement that the “official bloc,” in the sense of officials nominated by the Governor having power to vote as well as speak, should be abolished.

The discussion was then directed to the question whether it would be necessary for the House to have the assistance of officials. The majority of the Committee agreed that it would not be desirable for officials to deal on the floor of the House with matters under the control of Ministers; for Ministers would have access to official advice in the ordinary way.

There was much support for the suggestion that officials should attend to express the views of the Governor on matters relating to reserved subjects. Such officials would have the right to address the House, but would not vote.

24. *Nomination and representation of Minorities.*—Several Delegates declared their opposition on principle to any representation in the Lower House except by means of direct election. Others considered nomination necessary to secure representation of certain elements not likely to secure adequate representation by other means. The question of nomination was therefore discussed in conjunction with the larger question of the continuance of representation of minority communities and special interests by means of separate electorates.

25. In this connection, it was explained on behalf of the European community that the share of commerce in European hands is as great in Burma as in Bengal, where the Europeans hold 11 per cent. of the seats in the Legislative Council, and that this community might therefore be given 10 per cent. of the seats in the Burma House of Representatives.

On behalf of the Indian community it was pointed out that Indian economic interests in Burma were as large as European, and that the Indian population numbered one million as against 11,000 Europeans. One proposal was that the 23 seats now held by the "official bloc" and nominated members should be divided among the minority interests in the proportion of their present representation, viz., Indians 9, Karens 5, Anglo-Indians 1, Europeans 4, Chinese 1, and that the Indians should be given altogether 18 per cent. of the total seats in the House. An alternative suggestion was that the total seats should be distributed as to 50 per cent. on a population basis, and as to 50 per cent. on the basis of economic interests. One Delegate contended that the minority interests constituted 25 per cent. of the population of Burma and held 50 per cent. of the country's wealth, distributed as to 20 to 25 per cent. in European hands and 25 to 30 per cent. in Indian and Chinese hands.

As regards the Karen community, it was claimed that it would be reasonable to give the community separate electorates in every district in Lower Burma. In a wholly elected House of 180 to 200 members, this would give them an increased proportion of the representation.

A suggestion was made that the Chinese should be given 2 per cent. representation and that the Landowners' Association (owners of not less than 300 acres of agricultural land) should be given 2 per cent. representation in the Lower House and one representative in the Second Chamber. One Delegate argued that the Landlords' Associations (owners of Town property) should be included and the percentage increased. An alternative suggestion was that landowners, together with Labour and other interests, and also districts inside the elective area, but not yet made into constituencies, might be represented by giving the Governor power to nominate up to 5 per cent. of the total seats to provide for the representation of such interests. This suggestion received support, but the majority of the Committee did not favour separate seats for Landowners or Landlords.

On behalf of Burma-Muslims, in the most comprehensive sense of that term, a plea was put forward for either half the number of seats given to the Karens or for a minimum of 4 to 6 seats out of 200 from among the seats allotted to Indians; but the suggestion that the Indo-Burman should be thus distinguished from the Indian community was contested on behalf of the latter.

*26. Criticism of Minority Claims.*—These various claims put forward by the minorities were contested on a number of grounds. In the first place, objection was expressed to nomination in any form. Secondly, the idea of separate electorates was opposed on the ground that if the criterion of the existence of a minority adopted by the League of Nations were applied, namely, that a minority must constitute at least 20 per cent. of the total population, then there are no minorities in Burma. But if it were held that minorities in fact exist then they could claim no more than freedom from discrimination or interference in the spheres of industry, property, the professions, legislation and taxation, all of which could be adequately secured to them by a declaration of rights in the Constitution. In more detail, it was argued that European Government servants would be protected by statute, the European commercial community could be protected by the proposed declaration of rights, and Europeans who identified themselves with the country could always get into the Assembly through general non-communal constituencies. Anglo-Indians were mostly members of the Services and would have the protection of statutory safeguards, while the Anglo-Burmans included in the community should identify their interests with those of the majority community. Chinese commercial interests would be covered by the general declaration, while of the remaining Chinese the British Chinese, who alone could be considered, should identify themselves with Burma and depend on Burmese votes for representation. Similarly, the interests of those Indians who were permanently settled in Burma were identified with those of the Burmese, and the temporary residents had no right to claim special representation. As regards landlords, figures showed that on the suggested basis of a holding of 300 acres only absentee landlords, many of whom were only moneylenders, would receive representation. It was urged in the case of the Karens (though this statement was at once disputed), that there appeared to be no unanimity in favour of separate electorates, particularly for Buddhist Karens, and that it might be possible to meet Karens generally by creating a sufficient number of mixed Burmese and Karen constituencies so defined as to contain a substantial majority of Karen voters, whereby it would be possible for the Karen voters to return a Karen member.

The view was expressed that it was necessary to avoid the possibility of a situation in the Lower House in which minority representatives could combine with a minority Burmese party to defeat the Burmese majority.

In the course of the discussion the suggestion was thrown out, but for various reasons did not prove acceptable, that representation of minority communities by separate electorates should be provided for in the Statute for a limited period only, such as ten years.

27. *Absence of Agreement.*—Despite great efforts made by members of the Committee to reach agreement by private and informal conversations, it is regretted that no solution of these conflicting views has been attained.

(III) *Relations between the two Houses.*

28. *Procedure regarding Ordinary Bills.*—The question of the relations of the Houses in legislation had already been touched on in the discussion on the powers of the Senate, when it had been generally agreed that the two Houses should have equal powers in respect of the initiation, amendment or rejection of non-money Bills. Definite proposals were now put forward by a group of Delegates. These were (a) both Houses to be able to initiate Bills ; (b) Second Chamber Bill amended by Lower House, henceforth to be treated as initiated in Lower House ; (c) Second Chamber Bill rejected by Lower House not to be re-introduced in Second Chamber in the same session ; (d) in the event of amendment of a Lower House Bill by the Second Chamber the Lower House could either accept the amendment or demand a joint session ; (e) joint session in the event of rejection of a Lower House Bill by the Second Chamber.

29. *Money Bills.*—In the earlier discussion on the Senate a difference of view had emerged as to the treatment of Money Bills, but the subject had not been explored in detail. It was now proposed by the group mentioned above that Money Bills should originate in the Lower House only, but that the Second Chamber must not retain a Bill for more than twenty-one days, as provided in Article 38 (a) of the Irish Free State Constitution.

30. *Certification of Money Bills.*—A number of Delegates thought that the responsibility for certifying that a Bill is a Money Bill should rest with the Speaker of the Lower House, while a number of others favoured certification by the Governor. Alternative suggestions put forward by individual Delegates were (a) that the authority might be the Governor acting in consultation with the Chairmen of both Houses, and (b) that the Speaker would ordinarily certify, but that if his decision were challenged the question should go for decision to a Committee of Privileges presided over by a Senior Judge of the High Court, or to a Senior Judge of the High Court sitting alone.

31. *Solution of Deadlocks between the two Houses.*—General support was given to the proposal that Bills passed in one House but rejected by the other should be returned to the originating House for reconsideration. In the event of a second rejection there should ensue a period of delay, subject to a dispensing power by the Governor in case of urgency, followed by a joint session of the two Houses. The machinery for this might be incorporated in the Constituent Act.

*32. Joint Sessions.*—It was suggested that the Speaker of the Lower House should act as Chairman of joint sessions of the two Houses, but this was not supported. It was generally felt that joint sessions should not necessarily be called in every case in which a difference of opinion emerges between the two Houses, as it may sometimes be preferable to drop a measure in dispute. As regards the authority required for the calling of a joint session there was no general agreement. Proposals designed to provide some latitude in the convening of a joint session were made (*a*) that it should be called on the motion of either House, (*b*) that it should be called by the Governor at the request of either House, (*c*) that the Governor if requested by either House to call a joint session should be free to exercise his discretion.

The majority of the Committee considered that the period of delay before the calling of a joint session should be between 12 and 18 months reckoned from the time of failure to agree, and that decisions should be taken there by a bare majority of those present and voting. Other delegates suggested that a two-thirds majority should be required.

*33. Position of Ministers.*—As is mentioned in the section on the Ministers, it was generally agreed that Ministers might be selected from both Houses. There was also general assent to the proposition that Ministers should have the right to speak in both Houses, though they should vote only in that to which they belonged.

*34. Disqualification from Membership of the Legislature.*—As regards disqualification from membership of the Legislature there was agreement that there should be no sex disqualification, that there should be a minimum age limit of 35 for the Second Chamber and that the present conditions regarding insolvents should be modified in such a way as not to subject a bankrupt to harsher treatment than a criminal. One Delegate suggested that conviction by a criminal court should cease to disqualify, and there was a division of opinion as to the possibility of distinguishing between political crimes and crimes involving moral turpitude.

### The Franchise for the Lower House.

*35. Question as to whether Extension of Franchise is necessary.*—Many Delegates proposed the adoption and immediate introduction of adult suffrage for both sexes at the age of 21, and considered that the suffrage should be restricted to "citizens" of Burma. (The definition of citizenship and its relation to the franchise is more fully discussed in the following section.) These Delegates also pressed that the first election under the new Constitution should be conducted on the basis of the revised suffrage, a point of view opposed by a number of other Delegates, who considered it essential to appoint a Committee of Enquiry before proceeding to extend the franchise.

One or two Delegates considered that no extension of the franchise should be considered until the Constitution had been tested over a period of years on the existing suffrage. It is also pointed out that, whatever the merits of adult suffrage, the position of women and unmarried men under the present system was illogical and required examination.

36. The discussion revealed a widely held opinion that a case existed for the extension of the franchise, but there was no general agreement either on this or on the questions of the date when a new franchise should be introduced and the machinery through which any change should be made.

### **Franchise and Citizenship.**

37. *Qualifications for the Franchise.*—The Committee had under consideration the general qualifications to be required as a condition for the exercise of the right to vote and also the question of laying down in the Constituent Act a definition of "citizenship," the possession of which should, in the opinion of some, be a necessary condition for the right to elect and to be elected to the Legislature. It was indicated in the course of the discussion that, in the view of those who advocated it, the test of "citizenship" might have a wider application than for the franchise only; it might also be used as a test of eligibility for Government appointments. It was, however, in relation particularly to the right to vote or stand for election to the Legislature that the Committee discussed the question. Those who advocated citizenship as a test for the right to vote and enter the Legislature took their stand on the general proposition that no man should be privileged to take part, either as a voter or as a legislator, in the management of the affairs of Burma unless he could show, either by the proved intention to establish a permanent abode or by the fact of long residence, that he had an abiding interest in the country.

38. *Definition of Local Citizenship.*—Certain of the Dominions have, for particular reasons, defined by statute local citizenship as distinct from British national status; and in one case, that of the Irish Free State, citizenship as defined in the Constituent Act is made the sole qualification (except age) for the franchise.

Several of the members of the Committee advocated that this precedent should be followed in the Constitution for Burma; but some difference of opinion was disclosed among them as to the length of residence in Burma to be imposed as a qualification for citizenship, some suggesting twelve years and some seven, five or three years.

*39. Citizenship and Domicile.*—In Article 3 of the Irish Free State Constitution, the provisions of which appeared to commend themselves to the advocates of "citizenship" as a qualification for adoption in the case of Burma, citizenship is defined in terms of domicile. Many members of the Committee strongly deprecated the introduction of domicile as a qualification for the franchise. It was pointed out that domicile is of two kinds, of origin and of choice, and that the latter form presents great difficulty of determination; for this depends not on questions of fact alone, such as residence in a country for a certain ascertainable period, but on intention to establish a permanent residence in that country though such residence may in practice be intermittent. The adoption of domicile, it was contended, would not only give rise to considerable difficulty in practice and tend to promote litigation but would also disfranchise a considerable portion of the non-indigenous community in Burma. For there are likely always to be many British subjects in Burma, resident for many years in the country in pursuit of business or professional avocations, who might never be in a position to prove the intention of settling there *permanently*. Another ground of objection which was taken to domicile was that the adoption of this qualification is at variance with the general practice throughout the world which makes the right to vote dependent on nationality, not on domicile, combined with a greater or less period of residence.

*40. British Nationality plus Residence.*—An alternative which received the support of a section of the Committee was that citizenship for Burma might be defined on the basis of British nationality, combined with a prescribed period of residence of not less than 5, and, preferably, not less than 7 years. It was recognised that a citizenship qualification on this basis would exclude from the franchise many members of the non-indigenous business community, and to meet this difficulty the suggestion was made that for such inhabitants of Burma, who constitute a "special interest" as distinct from a community, the right to vote might be secured not by a citizenship qualification but by membership of a Chamber of Commerce or similar recognised organisation.

More than one member of the Committee, however, expressed anxiety lest the institution of the principle of citizenship even on the basis suggested in the preceding paragraph might introduce not merely restrictions of the franchise, but also discrimination in favour of indigenous inhabitants against British subjects from overseas in respect of commercial enterprise, or at any rate against the inception of such enterprise after the establishment of the new Constitution.

*41.* The inclusion in the Constituent Act of a definition of Burman citizenship might, it was urged, affect the form of the oath of allegiance and jeopardize the right to appeal to common British nationality for the redress of grievances suffered by Burman citizens in other parts of the Empire.

*42. Threat to Burma of Unrestricted Immigration.*—It was admitted by some of those who advocate Burman citizenship, if only as a temporary measure, that a principal purpose to be achieved is the prevention of Burma's national identity being swamped by the unrestricted influx of inhabitants of the densely populated countries lying to the east and the west of Burma. Anxiety was expressed by these Delegates as to the degree to which Indian labourers and industrialists (whatever useful part they may have played initially in developing Burma's agricultural and other natural resources) now tend to dispossess the indigenous inhabitants of occupation and to depress their standard of living. Reference was made to the Report of the Royal Commission on Indian Labour in respect of the floating Indian population which resides in Burma for no more than a few years at the most and returns to India with its earnings ; and it was urged that Burma must be empowered to prevent her own people from being submerged racially and economically by Indian entrants from the one side, and by Chinese from the other. Serious doubt was expressed by other Delegates in the light of Census figures as to the gravity of the menace whether it be regarded from the racial, industrial or economic standpoint ; but it was contended that if it was serious it should be dealt with by other means, for example, by non-discriminatory restrictions on immigration. A suggestion was made that for non-indigenous persons a qualification similar to that laid down in the Constitution of Ceylon, viz., a literacy test combined with a property qualification and a period of residence might be prescribed. The view was strongly expressed that it was not in Burma's interest to set up a test which would militate against the principle of equality of treatment for British subjects in all parts of the Empire. Some Delegates however, maintained that this principle of equality is not in practice applied throughout the Empire, and considered that in present circumstances it should not be applied to Burma.

*43. In regard to the test for the franchise, many delegates held that it would be wise to avoid recourse to any qualification so disputable as that of domicile.* A preference was expressed by many for as simple a qualification as possible, to rest firstly on British nationality and secondly on length of residence in Burma ; and some Delegates thought that the existing electoral rules provided a suitable basis for the franchise. On the period of residence to be prescribed opinions varied ; the advantage of reciprocity with the United Kingdom, viz., 3 months, was mentioned ; but positive suggestions ranged from a period of 6 months to 2 or 3 years. As between these suggestions a preference was expressed by several delegates for a shorter rather than a longer period, for the longer the period of disqualification the greater the number of aggrieved persons who pay taxes but may not vote.

### The High Court.

44. *Constitution of the Court.*—The Committee is glad to be able to record a substantial measure of agreement on the question of a High Court. On certain points, some of considerable importance, there was a divergence of view. Many members of the Committee thought that the proper course was that the Constituent Act should make provision for the establishment of a High Court generally on the lines of the present High Court, to be constituted preferably by Letters Patent and to be composed of a Chief Justice and Judges appointed by Letters Patent. But some Delegates preferred that the constitution of the High Court should be laid down in the Statute.

45. *Qualifications of Judges.*—There was no question in the minds of the Committee as to the vital importance for Burma, that in selections for appointment to the High Court the proper administration for justice should be the sole criterion without regard to race, class or creed, and that the qualifications at present prescribed would appear to be suitable. One Delegate was opposed to the eligibility of members of the I.C.S. for appointment as Judges of the High Court, and another suggested that the number of I.C.S. Judges should not exceed one-third of the strength of the Court; subject to these exceptions the opinion of the Committee was that the Bench should be composed of the best men available with any of the qualifications indicated. A knowledge of the Burmese language among the Judges was mentioned by some Delegates as an important desideratum.

46. *Qualifications of Chief Justice.*—In regard to the qualifications for the appointment of Chief Justice the Committee was more equally divided in opinion. It was said by some Delegates that, rightly or wrongly, there is a feeling, not only among members of the Bar in Burma, but among the people generally, that the Chief Judicial appointment should be filled by a trained lawyer only, and the view was expressed that the best type of appointment is that of a King's Counsel direct from England. For these reasons several of the Committee were of opinion that I.C.S. Judges (some of whom of course have been called to the Bar) should be ineligible for the Chief Justiceship. Others, however, considered that the only criterion should be merit, and that any person qualified to be a Judge of the High Court, including I.C.S. Judges, should be eligible for appointment as Chief Justice. It was observed that on several occasions in the absence of the Chief Justice an I.C.S. Judge has acted as Chief Justice and given general satisfaction in that capacity; and it was contended that the early administrative training of such Judges is a useful equipment for the discharge of the manifold administrative duties attached to the post of Chief Justice. The opinion of the Committee was, however, divided on this point.

47. *Method of appointing Judges and filling Temporary Vacancies*—Opinion was similarly divided as to where the responsibility should

lie for recommendations to the Bench. It was agreed, except by one section of Delegates, that appointment should be by the Crown, but, setting apart the case of appointments from the United Kingdom (to which one or two Delegates were opposed), opinion was divided as to whether recommendations to the Crown should be made by the Governor in his unfettered discretion (though no doubt after consultation with those competent to advise), or at his discretion from a list put before him by his Ministers, or strictly in accordance with their advice. The existing practice of appointing *temporary* additional Judges who revert to the Bar was generally disapproved. It was pointed out that if the Court required assistance an additional Judge could be appointed and the original strength of the Court restored on the occurrence of a vacancy. It was agreed by many that acting appointments in short term vacancies should be made from among all persons qualified, including the Judicial Service, by the Governor in consultation with the Chief Justice; but those who advocated appointment by the Governor in the case of permanent incumbents thought that these acting appointments also should be made on the advice of Ministers.

48. *Tenure of Appointments.*—The general opinion of the Committee was, that the Judges should hold office during good behaviour, but some difference of opinion existed as to how removal, in the rare event of misbehaviour or incapacity, should be effected. Some of the Committee were strongly in favour of removal on presentation of an Address to the Governor by both Houses of the Legislature; others deprecated the Legislature being involved in any way with the Judiciary; the suggestion was made—but met with little support—that in accordance with what is understood to be the rule in the Crown Colonies, no Judge should be removed, except on the report of the Judicial Committee of the Privy Council, the highest appellate body in the Empire.

49. *Age of Retirement.*—On the question of the age for retirement, it was generally agreed that it should be in the neighbourhood of 60 or 65. To many the climate of Rangoon is sufficiently trying to make 60 a suitable retiring age; but the Committee saw objection to giving an age limit which might prematurely deprive the Court of the services of able Judges; some flexibility between these limits was advocated. In this connection mention should be made of the opinion expressed that appointments to the Bench should be restricted to men of 40 years of age or more.

50. *Salaries of Judges.*—The salaries of the Judges should, in the unanimous view of the Committee, be excluded from the vote of the Legislature; for present incumbents, the existing rates of salary should be maintained, but in regard to the appointments made subsequently to the institution of the new Constitution, the opinion was expressed by some Delegates, that Judicial salaries might be fixed by the new Legislature.

### The Services.

#### (I) Existing Members of the Services.

51. *Maintenance of Rights and Safeguards.*—Inasmuch as the Government of India Act and the rules made thereunder by the Secretary of State in Council guarantee certain rights and safeguards to members of the Services, the Committee was unanimously in accord with the recommendations made in this respect in the Report of the Services sub-Committee of the Indian Round Table Conference, and agreed that due provision should be made in the new constitution for the maintenance of those rights and safeguards for all persons who have been appointed before the new constitution comes into force. When the new constitution is drawn up, suitable safeguards for the payment of pensions (including family pensions and provident funds) should no doubt be provided.

52. *Retirement on Proportionate Pension.*—It was further unanimously agreed that the right of retirement on proportionate pension should be extended, but opinion was divided as to whether the extension should be for a period of five years only or for a longer or an unlimited period.

53. *Officers transferred from India.*—The Committee recognised that the transfer of existing members of the Services from service under Government in India to service under the new Government of Burma might raise questions in regard to their conditions of service that might not be precisely covered by any of the foregoing provisions. If any such questions arose, the Committee hoped that they would be dealt with in accordance with the general intention of those provisions, namely, that all necessary steps should be taken to reassure existing members of the Services and maintain their existing terms of service, so that they might serve with loyalty and efficiency for their normal term. The Committee were gravely impressed with the importance in the interests of Burma of making full provision to ensure that the new Constitution should not be handicapped in the initial stages by any diminution in the efficiency of the administrative machine or embarrassed by the economic waste and the difficulties which a change of staff on a large scale would entail.

#### (II) Public Services Commission.

54. In accordance with the view taken by the Statutory Commission as to the general need for Public Services Commissions to protect the Services from political influences, it was unanimously agreed that a Public Services Commission should be established in Burma.

55. *Size.*—With regard to the size of the Commission, the Committee was generally of the opinion that three members, including

the Chairman, should suffice. The suggestion was made, but did not receive support, that the Commission should be so composed as to include representation of minority interests.

*56. Method of Appointment.*—As to appointment, all members of the Committee agreed that the appointing authority should be the Governor, but opinion was divided as to whether the Governor in making an appointment should (i) act alone or (ii) act on the advice of the Ministers but with discretion to disregard that advice or (iii) be obliged to act on the advice tendered to him by the Ministers. The opinion was expressed that Members of the Public Services Commission should hold office "during pleasure" and be removable by the Governor only. Some, however, pressed the view that action by the Governor should only be on the advice of his Ministers. It was suggested that persons appointed should, after ceasing to be members, be ineligible, for a period to be fixed by the Governor, for further office under the Crown in Burma.

*57. Functions.*—As regards functions, there was general agreement that the Commission should be responsible, under the direction of the Government, for the recruitment of the public services ; and that it should be the duty of the Commission to recommend for appointment the best candidates available without distinction of race, class or creed. The Governor, or the Government, as the case might be, should have discretion to consult the Commission before passing orders on disciplinary questions affecting members of the Services.

### (III) *Recruitment of the Services (other than the Medical Service).*

*58. Maintenance of Efficiency.*—It was generally agreed that it was essential that the efficiency of the Services should be maintained and that it was of particular importance that men of the required type should be encouraged to enter the Security Services, i.e., the Indian Civil Service and the Indian Police Service as now termed.

*59. European Officers and Method of Recruitment.*—It was also generally agreed that in the case of the Security Services at any rate, it would be essential for some time to come that European officers should continue to be recruited for service in Burma. But opinion was divided as to whether, if Europeans of the required type were to be obtained for these Services, it would be necessary that the recruiting authority should continue to be the Secretary of State. Some of the Committee were convinced of this necessity, as the only means of affording such recruits the assurance as to their position necessary to attract the best men ; others were equally convinced that the security resulting from the establishment of a Public Service Commission should enable the Government of Burma to obtain European recruits of a suitable type ; some others considered that it should be left to the new Government of Burma to decide

who the recruiting authority should be ; while yet other Delegates wished to follow the majority view in the Report of the Services sub-Committee of the Indian Round Table Conference and to lay it down at the outset that the recruiting authority should be the new Government of Burma.

As regards the Irrigation Branch of the Indian Service of Engineers opinion, while not unanimous, was generally in favour of the transfer of appointment from the Secretary of State to the new Government of Burma, the Public Services Commission making the arrangements for recruitment.

60. *Burmanisation.*—The question of the rate of “Burmanisation” was briefly discussed by the Committee, and such opinion as was expressed was divided on this question. Some of the Committee were of opinion that the rate should be left for the new Government of Burma to decide, while others took the view that for the present recruitment might continue in the proportions laid down by the Lee Commission.

#### *(IV) The Medical Services.*

61. The Committee was generally in favour, in the interests of economy and efficiency, of a combination of the civil and military sides of the Medical Services. It was felt that the cadres of separate services would be too small to offer adequate prospects to suitable candidates. An adequate number of Europeans should be recruited for the requirements of the Army and of British officials and their families. A sufficient number of the members of the Service should be required by the terms of their engagement to undergo such military training and render such military service as they may be called upon to do. The rights and safeguards of officers of the Indian Medical Service serving in Burma at the date when the new Constitution came into force would be preserved, in accordance with the recommendation of the Committee that the rights and safeguards of existing members of the Services generally should be preserved.

#### *(V) Loan of Officers from the Governments in India.*

62. The Committee hoped that, on the analogy of what was said in the concluding sub-section of para. 3 of the Report of the Services sub-Committee of the Indian Round Table Conference, dated 13th January, 1931 (Cmd. 3772, page 66), it would be found possible in suitable cases to make arrangements between the Government of Burma and the Governments in India for the loan of officers. The Committee had particularly in mind the scientific services mentioned in para. 5 of the Burma sub-Committee’s Report, as well as the convenience of obtaining in this way expert advice in irrigation and railway problems. Burma, on its part, might reciprocate with the loan of officers especially qualified to advise on such matters as forestry development.

### Excluded Areas.

*(Other than the Shan States Federation.)*

63. The Statutory Commission recommended that the areas in Burma now known as " Backward Tracts " should in future be termed " Excluded Areas." (For the purposes of the Government of India Act these areas include the Federated Shan States ; but attention has been directed separately by the Committee to their case.)

64. This term " Excluded Areas " was intended by the Statutory Commission to mean tracts " which must be excluded from the general constitutional arrangements,"\* and for the administration of which special provision must be made ; and in pursuance of this intention several members of the Committee urged that the administration of these areas, the inhabitants of which, though akin to the Burmans, are admittedly backward and not yet fitted for a share in representative democratic government, might well be entrusted to the Governor (and thus form a " reserved subject "). The view was expressed that, in such event, it would be advantageous that the Legislature should have opportunity from time to time to discuss the subject at the discretion of the Governor.

65. Several Delegates, on the other hand, strongly deprecated the proposal that these areas should be removed from the purview of the Legislature, and argued that it would promote advancement from their backward condition if the responsibility for administering and developing them were placed upon a Minister. Some doubt was expressed whether this " Minister " should at the outset be responsible to the Governor or to the Legislature ; but the intention was that eventually the Minister in charge should be responsible to the Legislature.

### Defence.

66. Some Delegates were of opinion that the control of the Army, including British troops, in Burma should at once be handed over to a Burman Minister responsible to the Legislature. But the Committee addressed itself to the consideration of Defence on the understanding that, applying to Burma the principle underlying the Prime Minister's statement of policy in regard to India, the subject is one that in existing conditions must be reserved for administration by the Governor.

67. *The Requirements of Burma* —The geographical circumstances of Burma are such that armed aggression by land on a large scale is not a very probable danger, and it was generally agreed that though there is need to guard against raids on the frontier, the armed forces required for frontier defence are not large. The Conference was, of course, not in a position to formulate any opinion as to the strength

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\* Vol. II, para. 128.

of the Army required in Burma after separation, either for external or internal defence ; but the hope was expressed that it need not exceed the forces hitherto maintained in the country in normal conditions. It is not contemplated that Burma should undertake her own Naval defence ; for that she must for the present rely on the British Navy.

*68 Control of Arrangements and Influence of Public Opinion on Defence matters*—Though it was generally agreed that control of the administrative side of Defence should be entrusted to the Governor for the present, and though some Delegates admitted that a Burman Ministry would not be in a position to undertake this responsibility at once (one Delegate suggested that reservation of the subject should be limited to five years), a desire was expressed by several Delegates for opportunity for the Legislature to discuss and exert some influence over certain aspects of Army policy, particularly that of "Burmanisation." It was recognised that time must elapse before indigenous forces could be recruited and trained ; but several Delegates expressed the opinion that recruits for such forces would readily be forthcoming, and some were of opinion that conscription could be enacted by a popularly elected Legislature. A suggestion was made that the administration of Defence should be entrusted to a "Minister" who might be responsible to the Governor—to whom the whole control and disposition of the troops would be entrusted—for technical and strategical matters, and responsible to the Legislature for policy in regard to recruitment and Burmanisation and matters less directly affecting operations.

This suggestion met with considerable criticism. The view was widely expressed that division of a subject all branches of which are so closely connected as in Army administration, is not practicable. It was pointed out that unity of control is essential, and that so long as there are maintained in Burma forces such as British troops for which Parliament is responsible, control must be vested in the Governor who owes responsibility to His Majesty's Government and Parliament.

*69. Discussion of Defence matters in Legislature.*—On the question of the medium by which the Governor might maintain contact with the Legislature in regard to Defence matters and explain his policy and requirements, there was some divergence of view. Some of the Delegates thought it would be objectionable and inconsistent with the theory of joint responsibility of the Ministry that the medium should be a "Minister"—particularly if he were an official—responsible to the Governor and not to the Legislature. It was suggested that a procedure might be adopted similar to that practised in the Indian Legislature by which, when opportunity is afforded for discussion of Army affairs, the Secretary to the Government in the Army Department or, on occasion, the Commander-in-Chief addresses one or other House ; and the suggestion was put forward, which

received considerable support, that a Committee of the Legislature might be established to which information on military matters might be imparted, and through which the Legislature might gain familiarity with problems of military administration and acquire the knowledge requisite before transfer of responsibility could be practicable.

70. *Expenditure on the Defence of Burma.*—The view was expressed that lack of control of Defence by the Legislature was inconsistent with liability for the cost ; but it was generally agreed that, wherever control lay in existing conditions, Burma must pay for her military forces, and that the necessary supply should not be subject to the vote of the Legislature. The system of a fixed Budget grant for a term of years was mentioned as possibly a convenient arrangement, though it might be necessary in cases of emergency to exceed such grant.

71. *Building up of Indigenous Forces.*—As was recognised by the Indian Conference in respect of India, defence questions must be of increasing concern to the people of a self-governing country ; and the general feeling of the Committee was in favour, not only of the development of indigenous forces, but also of the provision of means by which the Legislature of Burma might be kept acquainted with Army matters during the period in which, as was generally recognised to be necessary, the responsibility for Defence remains vested in the Governor as answerable to Parliament.

### The Ministers.

72. *The Council of Ministers, its Appointment and Composition.*—The ideal in contemplation being responsible government by a Ministry responsible to the Legislature and, through it, to the electorate, for the administration, in existing circumstances, of most, and eventually, of all branches of government, the Committee held, without any dissentient opinion, that the Ministry should normally be appointed on the usual constitutional method by the Governor in consultation with the leader of the party commanding the largest following in the Lower House, assuming that he was willing to undertake to form a Government. This party leader (who after the formation of the Government would be described as Chief Minister, or perhaps preferably, as Prime Minister) need not be confined in his choice of Ministers to the Lower House, and, in the general view of the Committee, it would be desirable that one of the responsible Ministers at least should be a member of the Upper House. Several Delegates, however, despite the objections to laying down any restriction on the Chief Minister's field of choice and to specifying any particular class in the Legislature as ineligible for ministerial appointment, thought that in present circumstances nominated members of the Upper House (if nomination were prescribed in the Constitution) should not be eligible for selection.

**73. The Number of Ministers.**—On the question of the number of Ministers under the new Constitution, the Committee was not in a position to make a definite recommendation, but comparing the volume of administrative work likely to devolve on the Ministry with that hitherto borne by two Ministers and two Executive Councillors, it inclined to the view that six to eight would be suitable and that it would be well to prescribe eight as a maximum. This maximum, it was suggested, might be laid down in rules attached to the Constituent Act, as not to be exceeded without the approval of the Governor.

**74. Joint Responsibility.**—The Committee had no hesitation in adopting the view that the Ministry should be collectively responsible to the Legislature, and though some would have preferred that, as in most constitutions, this principle should be established by practice and convention, a greater number considered that the collective responsibility of the Ministry should be definitely stated in the Constituent Act.

**75. Circumstances in which the Ministry should relinquish Office.**—The Committee considered the question whether, having regard to the principle of joint responsibility, it is possible to define in what circumstances a defeat should lead to the resignation (or dismissal) of the Ministry. Several thought that when the Ministry of the day was defeated on an important Government Bill, it should resign forthwith ; others considered that it should be at liberty to decide whether the measure lost was in fact of such importance to the Government's programme, and the circumstances of the defeat such as to indicate the forfeiture of the confidence of the House ; others again were of opinion that the Government should not be forced to resign save on a direct vote of no-confidence, which in the view of a minority should not be effective save by a prescribed minimum majority of votes. Few of the Committee supported this last suggestion which, if adopted, would in theory enable a Ministry to cling to office though unable to command a majority in the House to support its measures ; the majority of the Delegates took the view that it was unwise to put into a Constituent Act a direction which the circumstances of the case might make it impossible to follow. All, however, agreed that, in accordance with the principle of joint responsibility, an adverse vote must be held to affect the whole Ministry and not an individual Minister only.

**76. Position of the Governor.**—The Committee was of opinion that while the Chief (or Prime) Minister would ordinarily preside over the Cabinet (or Council of Ministers) the Governor should have full discretion to summon his Ministers and preside at such meetings. They were agreed, also, that the Governor should be fully apprised of the policy of his Ministers and be kept informed of decisions taken at meetings at which he is not present in person. The view

was taken that while full information as to the Ministers' actions would be essential to the Governor to enable him to discharge his duties and special responsibilities, it would be of no less advantage to the Ministers that he should preside, at his discretion, at Cabinet meetings. This would also afford opportunity to keep them in touch with subjects reserved for his administration.

*77. Administration of Reserved Subjects*—The question was also raised whether the Ministry or Cabinet should contain "Ministers" responsible, not to the Legislature, but solely to the Governor, in respect of subjects reserved for his administration: some Delegates held, and others strongly opposed, the opinion that the Governor should have discretion to appoint officials or non-officials as "Ministers" in charge of subjects administered by him, who should stand or fall with the Ministry as a whole, thus preserving the appearance of joint responsibility, though they would in fact be responsible to the Governor, and not to the Legislature, and should be eligible for reappointment by the Governor to every succeeding Ministry; others took the view that the Governor should not appoint "Ministers," to be included in the Ministry, in charge of subjects administered by himself, but should have discretion to bring to meetings of the Cabinet the officials engaged in the administration of these subjects, so that the Ministers responsible to the Legislature would be enabled to discuss matters of common concern.

*78. Rules for Conduct of Executive Business*.—In regard to rules for the conduct of Executive business, the suggestion was made that they should be framed by the Governor in consultation with his Ministers; some Delegates viewed with anxiety any relaxation of the Governor's control of this power, which at present reposes with the Governor-General or the Governor of a Province, as the case may be.

*79. Remuneration of Ministers*.—As to the salaries of the Ministers, several of the Committee felt that under the new Constitution a scale of salaries considerably lower than those now drawn by Ministers would be adequate (the figures of Rs 2,000 per mensem for a Minister, and perhaps Rs. 2,500 per mensem for the Chief Minister, have been suggested); and the opinion was held by many that the salaries should be fixed, in the first instance, in rules framed under the Constituent Act, the Legislature to be empowered to amend the rate thereafter, having regard to the financial resources of the country. There was general agreement that whatever power might be given in the new Constitution to vary the scale of salaries of Ministers, it should not be permissible to make any change affecting adversely any Minister during his tenure of office. The suggestion was made by more than one Delegate that, whereas ministerial salaries might well be reduced below their present level, it would consort with the dignity of the Ministers' position that they should be provided with official residences.

### The Governor's Powers.

80. *Reserved Subjects and Safeguards.*—It was agreed, except by certain Delegates who were unwilling to accept any safeguards at the present stage, that the transfer of power to Ministers responsible to the Legislature must be accompanied by safeguards necessary in the interest of Burma until further experience had been acquired in the management of the machinery of responsible government. In general, the Committee accepted the principles enunciated in the Second Report of the Federal Structure Committee of the Indian Conference in respect of the ordinary and special powers of the Governor-General of India, as suitable to be applied to the case of the Governor of a separated Burma. Paragraphs 16, 21, and 22 were specifically cited as directly applicable in substance.

81. *Subjects to be administered by the Governor.*—In particular it was proposed that the Governor should himself be responsible for the administration of the following subjects : Defence ; External Affairs, Excluded Areas (including the Shan States) ; Monetary Policy, Currency and Coinage ; Ceremonial, Titles and Honours ; Ecclesiastical Administration ; and Officials recruited by the Crown or the Secretary of State or by the Governor for services administered by himself.

82. *The Governor's Power of Intervention for particular purposes.*—It was further proposed that the Governor should have the power to intervene in the fields of legislation and administration for the purpose of safeguarding the following matters :—the protection of minorities ; the preservation of Burma from grave internal peril ; the financial stability and credit of Burma and fulfilment of her debt obligations ; the protection of Imperial interests ; the rights and privileges guaranteed to officials ; and any matters affecting the reserved subjects enumerated above. It would be for the Governor to decide whether any particular issue did or did not fall within either of the categories referred to in paragraphs 81 and 82. In certain cases there would be an overlap of Ministers' and Governor's responsibilities, as is pointed out in paragraph 11 of the Fourth Report of the Federal Structure Committee in regard to the reaction on external relations of commercial, economic and other questions, which would fall primarily within the purview of Ministers and Legislature ; the Governor would in this case have a special responsibility to secure that the latter are so handled as not to conflict with his responsibility for the former.

83. *Emergency Powers.*—The reservation in existing conditions to the Governor of powers over the field covered above was generally agreed to, and it was also admitted that he must be given adequate powers to enable him to carry on the government in an emergency and to take over the government in whole or in part in the unhappy event of a breakdown of the constitutional machine. All agreed

that the safeguarding and emergency powers of the Governor, as opposed to the powers in the reserved field, should be employed as rarely as possible, both in order to demonstrate the reality of the transfer of power to the Ministry and to discourage Ministers from relying upon the Governor's powers to relieve them of the burden of unpopular decisions that might be demanded in the interests of the nation.

*84. An Alternative Suggestion.*—As an alternative to the express reservation of certain subjects, a suggestion was made that all subjects might be placed under the control of responsible Ministers, the Governor being given a power of superintendence which he would exercise to an unlimited extent in the case of subjects classed above as reserved, but only rarely for the purposes mentioned above in the remaining field. By such means it was urged, Ministers would be trained in the handling of reserved subjects, and a gradual further transference of power could take place within the framework of the Constitution. In opposition to this proposal it was pointed out that under it Ministers would in fact be responsible both to the Legislature and to the Governor in respect of certain subjects, thereby producing a blurred responsibility and perpetuating dyarchy in its worst form. The whole object of placing certain subjects directly under the Governor's control was to preserve in a limited field his responsibility to Parliament direct and undivided. There would be no difficulty in instructing the Governor in his administration of the reserved subjects to maintain touch with his Ministers and the Legislature, and through them with public opinion.

*85. Fundamental Safeguards for Minorities.*—In the course of the discussion of the Governor's duty to safeguard the interests of minorities the suggestion was made that additional statutory protection, for which the Governor should be made responsible, should be afforded on the following lines :—

- (1) Protection of life and labour, irrespective of birth, race, language or religion.
- (2) Free exercise of religions or beliefs, the practice of which is not inconsistent with public order.
- (3) All inhabitants to be equal before the law, and to enjoy the same civil and political rights, as, for instance, admission to public employment, functions and honours, exercise of professions, ownership of land and property, participation in industrial and commercial undertakings, irrespective of race, language or religion.
- (4) No person to be under disability for admission into any branch of the public services merely by reason of race, language or religion.

(5) No laws, rules or orders, intended to discriminate against minorities to be passed by Government, Legislatures, Corporations, Municipalities, local self-governing bodies or other official or semi-official bodies.

(6) Racial, religious or linguistic minorities to have the right to establish their cultural and welfare institutions, and to be assured an equitable share in the enjoyment and application of the sums which may be provided from funds under the State, municipal or other budget for educational, religious and charitable purposes.

It was suggested that in upholding these rights, there should be a final right of appeal to the Privy Council. But this suggestion was criticised on the ground that it would inevitably have the effect of bringing the Government or Governor of Burma, in the discharge of their administrative responsibilities, into conflict with the highest Court of Appeal in the Empire.

86. *Commercial Discrimination.*—It was urged that there should be no discrimination against any community carrying on business or trading in Burma, and it was proposed that the Constituent Act should contain provisions defining clearly the position and rights of commercial communities. The view was expressed that the general principles recorded in the Fourth Report of the Federal Structure Committee of the Indian Conference, (document R.T.C.22), particularly paragraphs 18 and 26, would form the basis of a suitable provision. But it was urged that in addition to security so provided for subjects of the Crown in Burma, British subjects should be secured the right to enter and to engage in trade and industry in Burma in the future as hitherto. The Governor, it was suggested, should be given full statutory powers to ensure that effect was given to such provisions.

It was agreed that the Act should provide that there should be no discrimination, legislative or administrative, against any existing commercial interests carrying on business or trading in Burma. But there was a division of opinion whether this protection should be extended in the Statute to cover future enterprises.

### **Financial Arrangements.**

87. *Governor's Powers.*—There was general agreement that supply for the reserved subjects and service of debt should be non-voted and should form the first claim on the revenues of Burma, and further, that the Governor should be given whatever powers might be necessary to secure, without dependence on the vote of the Legislature, funds for the discharge of his responsibilities. It was also proposed, without objection being raised, that the existing system of the presentation of an annual financial statement in lieu of a Finance Bill should be continued, and that all the revenues of Burma should be paid into a single account. As is mentioned in the section on Defence, (paragraph 70 above), it was thought that

in respect of Defence the desirability of a contract grant fixed for a term of years might be left to be settled as a matter of administrative convenience. It was suggested that the Governor's prior sanction should be required to measures affecting the public debt and public revenue, or imposing a charge on the revenues, and that in accordance with usual practice, proposals involving taxation or appropriation should be made only on the recommendation of the Governor, acting, of course, on the advice of Ministers in matters falling within the field for which they are responsible.

88. *Railways.*—As regards Railways, there was some discussion as to the desirability of entrusting the management of the railways, as opposed to policy (which it was agreed should rest with a responsible Minister), to a Railway Board to be set up by Statute. The Committee was not unanimous on this point, but it was agreed that if such a Board were set up it need only be very small. There was a majority in favour of separating the railway from the ordinary budget. One Delegate suggested the establishment of a similar Statutory Board for the management of Posts and Telegraphs, which, like Railways, is a "commercial" department and as such should be run on strictly business lines, free from the political pressure to which a department under the direct control of an elected Minister is liable.

89. *Appointment of a Financial Adviser.*—In the event of Burma being separated from India, her Government will have to deal with financial questions of which neither officials nor non-officials in Burma have hitherto had opportunity to gain experience. It was, accordingly, proposed that the Governor and the Ministers (including the Finance Minister), should have the assistance of an expert Financial Adviser, who would have important duties in connection with the annual budget and capital transactions. Many Delegates, however, only accepted this proposal on the assumption that the subjects of currency and coinage should be transferred to the control of a Minister. It was emphasized that the financial stability of a country and its credit abroad depend to a great extent on the soundness of its budgetary arrangements. As it is proposed (para. 82) that the Governor should have a special responsibility in respect of Burma's financial stability and credit, it was suggested that to enable him the more effectively to discharge this responsibility, the Financial Adviser should bring to the notice of the Governor (to whom he would be responsible in this regard) any proposals tending to impair stability and credit. Some Delegates objected to this proposal on the ground that it would interfere with the authority of the Finance Minister and his colleagues. The Financial Adviser should have the right to speak in the Legislature, but not to vote.

90. *Loans.*—Some general discussion took place regarding the manner in which external loans should be raised, but no definite conclusions were formulated. It was pointed out that it might not

be possible for a self-governing Burma to raise loans in the name of a Secretary of State. A possible plan might be for the provisions of the Colonial Stocks Act to be applied to Government of Burma loans.

91. *Appointment of an Auditor-General.*—There was general agreement to the proposal that the Constituent Act should provide for the appointment of an Auditor-General.

### Conclusions of the Committee.

The Committee failed to reach agreement upon a number of the Heads for Discussion contained in the Agenda submitted to it by the Chairman. Among such matters must be included the claim of the Minorities to separate representation in the new Parliament, the question of the franchise, and the method of election to elected seats in the Senate.

There was, nevertheless, agreement, save on the part of those Delegates who are unwilling to agree to any safeguards at the present stage (*vide* para. 80), upon the outlines of a constitution which, applying to the case of Burma the principle underlying the Prime Minister's statement of 1st December, 1931, in regard to India, should place upon the Legislature of Burma responsibility for the government of the country, subject to the qualification that, in existing circumstances, certain specified subjects must be reserved to the Governor, that, in finance, such conditions must apply as would ensure the fulfilment of Burma's due obligations and build up her credit and maintain her financial stability, and finally, that the Governor must be given the necessary powers in all fields to discharge the responsibilities specifically placed upon him. It is possible to embody the agreement reached on this broad question in the following general conclusions :—

(1) The Committee agreed upon the establishment of a Legislature, consisting of two Houses, to be styled the Senate and the House of Representatives, the two bodies to be collectively described as the Parliament of Burma.

(2) It was agreed that the Senate should be about one-third of the size of the House of Representatives, that it should be composed partly of elected and partly of nominated members, that a rotational system should be introduced under which the tenure of a seat in the Senate should be for 6-7 years, and that the Senate should only be dissolved in exceptional circumstances.

(3) It was agreed that the maximum life of the House of Representatives should be five years, and that the "official bloc," in the sense of officials entitled to vote as well as speak, should be abolished.

(4) It was agreed that Bills passed in one House, but rejected by the other, should be returned to the originating House for

reconsideration. In the event of a second rejection, there should ensue a period of delay, subject to a dispensing power by the Governor in cases of urgency, followed, if necessary, by a joint session of the two Houses.

(5) It was agreed that Ministers might be selected from either House and should have the right to speak in both Houses. The number of Ministers should, in existing circumstances, be not more than eight, they should be collectively responsible to the Legislature, and there should be a Chief or Prime Minister, who would normally be the leader of the strongest party in the House of Representatives. It was also agreed that, while the Governor might not ordinarily preside over the Council or Cabinet of Ministers, he should be able to do so at his discretion.

(6) It was agreed that there should be no sex disqualification from membership of either House of the Legislature, that there should be a minimum age limit of 35 for membership of the Senate, and that the present conditions regarding insolvents should be modified in such a way as to prevent a bankrupt from harsher treatment than a criminal.

(7) There was general agreement as to the field of the Governor's responsibilities and that, in addition to the ordinary powers of returning, reserving, and disallowing legislative measures, the Governor should have all necessary powers to enable him to discharge his special responsibilities, including the power to secure requisite funds. It was considered that the Governor should be instructed to keep in touch with the Ministry and the Legislature in the administration of subjects entrusted to him.

(8) It was agreed that there should be no discrimination against minorities or existing commercial interests.

(9) As regards Defence, the desirability of the development of an indigenous defence force was generally recognised, and it was agreed that means should be found to keep the Legislature informed of questions of Army administration.

(10) There was a general measure of agreement upon the structure of the new High Court.

(11) As regards the Services, it was agreed to preserve the existing rights and safeguards (including pensions) for officers appointed before the new Constitution should come into effect, and that the right of retirement on proportionate pension should be extended. The establishment of a Public Services Commission was also agreed upon.

Signed on behalf of the Committee,

PEEL.

*5th January, 1932.*

## APPENDIX I.

LONDON,  
9th December, 1931.

To the Chairman and Members of the Burma Round Table Conference.

MY LORDS AND GENTLEMEN,

There appears to be a great measure of doubt and confusion as to the exact attitude of the Shan States towards Burma. A simple explanation will do much to clear the air of a misapprehension that has arisen through the misinterpretation of the clause on page 5 of last year's Memorandum.

It should be understood first and foremost that all the delegated Chiefs and their Advisers are completely in agreement, not only between themselves but with their fellow Chiefs that deputed them to come over here and who still remain in agreement with the Memorandum of last year. In this connection it should also be remarked that when the Sawbwa of Hsipaw stated he was not the writer of the Memorandum he did not for a moment mean he was not in agreement with it. He merely wished to infer that it was not his fault if the intention therein was not clearly set out.

They have no desire to say in any sub-Committee anything they would not say in full Committee, and would prefer to speak openly rather than their brother Chiefs should think they had said anything they did not wish the whole of the Representative Chiefs on the Federal Council to know.

The signatories to this letter must make it clear that although they appreciate the attitude of the Burmese Delegates towards their aims—and they have sought their help—they gave no authority to U Chit Hlaing to suggest that they have been induced by any officers to say anything at all. The insinuation of U Chit Hlaing should be categorically denied.

The disputed clause on page 5 of the Memorandum should be explained.

The Chiefs did not for one moment consider that the four points contained therein could be granted by the future Constitution of Burma. Granted those four points, then the Shan States have no objection to a close relationship with Burma, confined, however, to those matters which intimately concern the mutual welfare of the two separate countries—such as matters of defence, communication, customs, etc.

In order to attain the four points upon which so much discussion has arisen, representation in the future Legislature of Burma is not necessary and cannot be helpful; and the Federated Shan States would much rather rely solely upon its relationship with His Majesty's Government through His Excellency the Governor of Burma than to have the double channel to which they have already objected (see para. 7, page 8). Upon this paragraph may we emphasise what we say there: "In the event of separation of Burma from India under a new Constitution, and the claim of the Shan States to be treated independently of Burma being successful"—surely this clearly means that we, at that time as now, desired to remain a separate entity.

If further evidence from our original Memorandum be desired, how can the clause on page 5 be considered to be an overture to be included in the new Legislature of Burma in the face of our reiterated aim to attain to the status of an independent State under the Crown (page 2, clause 5 ; page 7, clauses 5 and 6) ?

In the Supplementary Memorandum of the Committee of Six Chiefs addressed to His Excellency the Governor of Burma (page 10, clause 14) the Chiefs have again stated their desire for a revision of their status. This could not possibly be acceded to by any new Constitution of Burma, however wide its powers may be.

Mr. Foot, in a constructive speech, stated definitely that which we wished to hear—that “there is no demand upon the other (i.e., Burman) side and no anxiety that they should be forced to come into any such Legislature”; and “there is nothing that will prevent the subsequent discussion as to the Shan States having representation in the Upper House to deal with the points that have been mentioned by Lord Lothian.”

As to our representation in the Upper House, that may well be discussed later, when it is decided upon what matters will be dealt with there. If those be, alone, matters of international relationships between the two countries, then representation will be imperative.

Dr. Thein Maung and other Delegates stressed the question of frontier defence. We suggest that this is a matter of detail, of important detail admittedly, but one of those subjects which, in common with others, will inevitably have to be discussed later.

This letter is addressed to the Lord Chairman and Members of the Conference solely with the intention of removing any misunderstanding that may exist as to our position, and to ensure that no misconception may remain that the whole of the Sawbwas, here and in the States, are other than of a united mind and uninfluenced by any consideration beyond their own States' welfare.

We have the honour to be,  
My Lords and Gentlemen,  
Your obedient servants,

SAW ON KYA, SAWBWA OF HSIPAW.  
SAO SHWE THAIKE, SAWBWA OF YAWNIGHWE.  
SAO HOM HPA, SAWBWA OF NORTH HSENWI.  
SAO KAWNG TAI, KYEMMONG OF KENG TUNG.

## APPENDIX II.

## UPPER CHAMBER.

Geographical distribution of seats on the basis of 30 directly-elected members on the electors' qualifications for (a) the Council of State, (b) the Legislative Assembly.

Territorial unit.	Area.	(a) Council of State basis.		(b) Legislative Assembly basis.	
		Voters.	Seats.	Voters.	Seats.
Rangoon Town ..	76	3,006	4	8,745	5
Arakan Division ..	13,301	1,104	2	1,982	1
Pegu Division ..	13,625	4,693	7	10,018	6
Irrawaddy Division ..	13,417	5,212	8	15,115	9
Tenasserim Division ..	33,102	2,662	4	4,085	3
Magwe Division ..	17,940	979	1	2,016	1
Mandalay Division ..	12,584	1,812	3	5,618	3
Sagaing Division ..	18,886	801	1	3,482	2
			30		30
		(a) Council of State basis.		(b) Legislative Assembly basis.	
Number of voters .. .. ..		20,269		51,061	
Number of seats (assumed) ..		30		30	
Average number of voters per seat..		675		1,702	

## GENERAL REVIEW OF WORK OF CONFERENCE.

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**Plenary Session, 8th January, 1932.**

*Chairman :* Before proceeding to the discussion on the work of the Conference there is a piece of business which I am sure will give the Delegates great pleasure and equal honour to perform. I think it will be your desire that you should present a loyal address to His Majesty the King, thanking him for the gracious consideration which he has accorded to the Members of the Conference. I propose this as the wording of the address :—

“ The Delegates to the Round Table Conference present their humble duty to Your Majesty, and, having now reached the final stages of their task, desire to express their profound gratitude for the gracious consideration accorded to them by Your Majesty and by Her Majesty the Queen during the period of their deliberations.

At the conclusion of a Conference summoned to consider the lines of a Constitution for Burma separated from India the Delegates would wish to assure Your Majesty—if such assurance were required—that they and the people of Burma yield to none in unfaltering loyalty to Your Majesty and Your Majesty’s Throne.”

(*The resolution was carried unanimously.*)

We are met here, of course, to receive the Report of the Committee. I may say that all the amendments suggested in Committee have been embodied in the Report. I was given a certain latitude as to verbal alterations, and so on. I made very small use of that kindly latitude which was permitted me by the Conference. Most of the amendments had been really already accepted ; it was merely a question of formal insertion ; that is to say, the actual words themselves had been assented to by the Delegates. Therefore, I present the Report on behalf of the Committee to the Plenary Conference, and I desire to move :—

“ That the Conference in Plenary Session adopts the Report of the Committee in the hope that, inasmuch as it records the opinions of all parties represented and registers a substantial measure of agreement between them, it will serve the purpose for which the Conference was called.”

You observe that it does no more than record the opinions, and as regards the measure of agreement, I have not said unanimous agreement, but a substantial measure of agreement, and I hope on that the discussion may be based.

Does that resolution commend itself to the Conference? Those in favour?—Those against?—It is carried.

*Mr. Loo-Nee*: My Lord, twelve years ago, before the Joint Select Committee on the Government of India Bill, presided over by the Earl of Selborne in a Committee room of the House of Lords, the Karens had the privilege of making vocal their aspirations as regards the political evolution of Burma. In the ultimate result, the Karens, for the first time in their history, received the right of having their chosen representatives in Burma's Legislature. In another place the Karens have gratefully paid their humble tribute to the Right Honourable the Earl of Selborne, who presided over the deliberations of the Joint Select Committee with natural grace, characteristic courtesy and sympathetic interest, for the noble Earl's and his Committee's cordial reception of their deputation.

Last year His Imperial Majesty's Government was graciously pleased to include the Karens in their invitation to Burma to send Delegates to participate in the deliberations of the Burma Round Table Conference. We have already expressed our dutiful thanks to the British Government for their gracious recognition of the Karens' legitimate right to have a little "place in the sun" of Burma. It remains for us, however, to pay a well-deserved tribute to the noble Chairman of this historic Conference. To us it was a source of deep gratification when in Rangoon we saw it announced in the press that the Earl Peel was the Chairman-designate of the Burma Round Table Conference. For a man to be once a Secretary of State is a great achievement. In our noble Chairman we have one who has twice been Secretary of State for India. Significant as this fact is, add the more significant fact that the Earl Peel has been to Burma and has observed and studied at least some of the conditions peculiar to Burma, and you have proof positive of the sincerity of the humble tribute now paid to the noble Earl. Of the urbanity and patience—a patience tested but not worn out by "walk-outs"—fair play and sympathy—that latter virtue would have appeared to perfection if the "fatted calf" had been sacrificed on an appropriate occasion—sense of justice and, last but not least, sense of humour of our noble Chairman, I am sure we shall carry back with us to Burma memories which we shall treasure for many, many years.

When services signally rendered to the Empire are fitly crowned by the highest honour in the Indian Empire it were impertinence to add a colour to the rainbow.

At this stage let me be allowed to express a word of appreciation of the instructive co-operation we have received from the British

Delegation. Every member of the British Delegation has been excellent, and when all are excellent it would be invidious to make any distinction. If I with my colleague have represented the Karens of Burma in a sensible manner and if the educative value of the Burma Round Table Conference is not lost on me, I must wisely follow the wisdom which pervades every page of my Lord Chairman's Report, which in simple English means that I should mention no names. But if I err—and *Errare humanum est*—I shall be, to borrow a pregnant phrase, “ wrong in good company.”

I now pass on to another point. On the 2nd December, 1931, I had the honour of stating the Karen case before the second Plenary Meeting of this Conference. There is no reason for my colleague and me to alter or amend that statement. Let it stand. We draw inspiration from the observation that the Karen case has been “ succinctly stated.”

I come now to my last point. On the 4th January, 1932, at the Thirteenth Meeting of the Committee of the Whole Conference, the following words fell from the Chair :—

“ In your speech no doubt we shall hear it argued that it is very reasonable.”

This refers to the Karens' claim for increased representation in Burma's Legislature.

Five reasons may be advanced for the view that the Karens' claim for increased representation in the Burma Legislature is very reasonable.

First, the Whyte Committee, after an extensive and thorough investigation and enquiry, recommended in very clear terms that the Karens should have five reserved seats in the Burma Legislative Council, and the creation of the said Council brought with it five Karen members of that body. Nine years have gone by, and the proposal is that the old order should change, yielding place to a new order of things; in other words, Burma should have and hold a new constitution. Now, if after nine years and in a new scheme of political evolution for Burma, the Karens are to have no more than five representatives in Burma's Legislature the presence of Karen representatives here in this Conference has no *raison d'être*.

Secondly, it is contemplated that in the new order for Burma the Legislature which is to take the place of the present Burma Legislative Council will be considerably enlarged. *Ipso facto* we submit that our claim for an increased proportion of representation is both reasonable and fair, consonant with the aspirations of any self-respecting people.

Thirdly, our Indian fellow-subjects make a demand for altogether 18 per cent. of the total seats in the House. If those who come to our country, not because they are constrained by the altruistic.

emotion of love, but for commercial and industrial considerations, make such a claim as is quoted above, is it not reasonable that we Karens, the sons of Burma, should ask for a reasonably increased proportion of representation ?

Our Indian friends have their mother country, India. All political advantages, rights, and privileges bestowed upon India are theirs. If, not content with all this, which they do not share with us, they make extravagant claims in respect of Burma, they are certainly asking for the " best of both worlds."

On this subject let me say this one word. If Indians in Burma are given rights and privileges superior to those granted to the Karens, we Karens shall be made to feel like interlopers in our own country.

Fourthly, I have been struck by many things while serving on this Round Table Conference. The following sentiment expressed by our fellow-countrymen, the Burmese members of the Burman Delegation, appeals to us with tremendous force : " That Burma must be empowered to prevent her own people from being submerged racially and economically by Indian entrants from the one side and by Chinese from the other." The fear is not without foundation, and the plea is not only necessary but also reasonable. The Karens fully endorse the plea which our fellow-countrymen have unitedly put forward with much energy, and in so doing we would draw our fellow-countrymen's notice to the fact that they would be applying and vividly illustrating the golden rule if they do their very best to prevent the Karens " from being submerged racially and economically."

Fifthly, no two countries or two races are exactly alike.

Burma as a country possesses features of her own, and has conditions many of which are peculiar to herself. It suffices for my purpose to cite only one instance. I shall lead up to it gradually. In Burma, speaking from experience, whenever Government has any need of help in one form or another it is to the Karen Elders that they go. Now, when we ask that in Lower Burma every district should have a Karen member of the Legislature we are only asking for a man to be prominent in his own district, so that in case it may be necessary to render any help to Government it may not be difficult to find the proper man. In the history of Burma the Karens have always rendered ready and loyal service to Government. The last tribute to the Karens as a race that I have heard paid was by Sir John Simon when he was in Rangoon. It was a spontaneous tribute, the gist of which was that for loyalty the Karens have few equals and no superiors. Therefore, at this Round Table Conference we ask that the Karens may be given increased representation in the new Legislature for the good not only of themselves but of Government and of Burma as a whole.

*Mr. Harper :* My Lord, in this Conference we have been invited to discuss, and have been discussing, possible plans for the design

of what may be called the future constitutional structure of the Government in Burma on the assumption that Burma is to be separated from India. My colleague, who I much regret cannot be here today, and I, came to the Conference with the desire and the aim to contribute as helpfully and as wisely as we could to the shaping of that design. I must, therefore, frankly confess that it is gravely disappointing to me, as I know it is to my colleague, to feel that we cannot honestly congratulate ourselves on the measure of agreement that we have achieved. Perhaps that is the only result that could have been expected from the conditions which were imposed on some of our Burmese friends before they came to this country, bound as they were, so they tell us, by oath to take a certain line and never to depart from it, a course which in itself is inconsistent with the conference idea.

Early in our proceedings we heard from you, My Lord, the ultimate assumptions, as it were, of the foundations on which the constitutional structure is to rest. We have had no opportunity of examining those assumptions, and I will not now enter into the debatable question whether or not they are justified in the case of India and whether, if so, they become automatically justifiable in the case of Burma. I will merely say here that the decision to build our structure on imperfectly tested foundations obliges me to emphasise the wisdom and the necessity of incorporating sufficient precautionary elements in the final scheme in order to secure, as well as may be, the stability of the building.

It is within the recent recollection of all of us that, when a few weeks ago the Indian Round Table Conference concluded its work, public opinion was divided as to whether that Conference had been a success or a failure, because, although it had arrived at a close agreement on a very large number of important points, there was one fundamental question on which the Delegates had not been able to agree. If there was any doubt on these grounds as to whether that Conference had succeeded or failed, what is going to be the verdict of public opinion on the result of our work during the last month or six weeks? If there is one impression which will be left from a study of our proceedings it must be, I think, not that we have arrived at a measure of agreement on a certain number of points, but that there are so many fundamental points on which we have failed to agree, and that even those which we are reported to be agreed upon are conditioned by one proviso or another put forward in the early stages by one section or another of the Conference, and which we have had to record as being maintained without compromise to the end. We have, for instance, had to record a theory put forward by the spokesman of a party which may one day be the majority party in Burma—with himself as Prime Minister—a suggestion that there is no need for any safeguards whatsoever. We have had a suggestion based apparently on some bias, which I have found it difficult to understand, that although the subjects

reserved to the Governor may be discussed in the Legislature the Governor is to be restricted in the choice of the man who is to be sent there to put forward his case. We have had a suggestion that the Shan States are to be subject to the jurisdiction of the Government of Burma, whether the States themselves desire this or not. We have had to record the suggestion that while those minorities and commercial interests which are at present in the country are to be free from discriminatory treatment, any new interests of the kind which enter the country in future are to have no guarantee of similar protection. And again, although it has been thought fit to reserve in India certain subjects to the Governor-General, and although we have been told clearly with the authority of His Majesty's Government that these subjects will be reserved in Burma, we have had to record the suggestion from some quarters that there is no need to have any reserved subjects at all.

I cannot help feeling that if all these theories and suggestions represent the mature opinion of those to whom the future Government of Burma is to be entrusted, they can give only one impression in political circles in this country and elsewhere, and that is that the need for safeguards in the Constitution is greater than ever.

I understand the claim in all these cases to be that, although those who are to be entrusted with the Government of Burma in future have had no experience hitherto of the very difficult art of governing, they themselves have no doubt whatever of their ability to carry out these responsible duties at least as efficiently as they have been carried out in the past and to the complete satisfaction of all those whose existence and interests depend on the wise government of the country. It is perfectly intelligible that Burmans or any other race should have this faith in their own powers, and no one will dispute that a reasonable degree of self-confidence is an essential attribute to anyone who aspires to a high position in any sphere in life; but it is also surely necessary to realise that the world never takes any man at his own valuation, and that to the Parliament of this country, which, after all, is the authority which will decide the extent of the reforms which are to be granted to Burma, the capacity of the Burman to govern his country under a Parliamentary system is almost an unknown quantity on which they will require to be fully satisfied before they can delegate to the new Burman Government the trust which they now hold for the protection of all His Majesty's subjects in Burma.

I hope very much that now our Burmese friends have put their points of view forward, setting their claims naturally at their highest—on the well-known principle of always asking for more than you expect to get—that they will now, at any rate, admit that there can be no objection, but very considerable advantage in having in the constitution all the safeguards which may be considered by the British Parliament to be necessary, if only to

show both to those who will be governed by them in Burma itself and to the rest of the world that the new Burma Government is determined to govern its people wisely and to earn a place of high credit and reputation among the Governments in the British Empire. It is not, after all, as if those safeguards are to be used as a means of obstructing the growth of self-government. They are not there to be used if things go right, but only when things go wrong ; and to a western mind, at any rate, a readiness to accept safeguards, restricted as they are on these lines, would be an earnest of the country's determination that it should never be necessary for them to be used.

So far as the European community is concerned, the safeguards that we require to see embodied in the constitution have been claimed either by Mr. Howison or by myself at various times during the course of the Committee's discussions.

In one important respect there is a difference between the claims of my community and the claims of the representatives of the indigenous races. With us it is not a question of what is going to be given to us, but of what is not to be taken away from us. I sometimes feel that it is not always remembered that in the essence of the matters which we have been discussing it is the British Parliament which is going to do all the giving and the indigenous races all the receiving, a position which has in some quarters in recent years been interpreted wrongly as weakness instead of rightly as generous statesmanship.

What my community is asking for in the new Constitution of Burma is full preservation in every respect of the rights of a subject of the Crown domiciled in these islands but resident for the purpose of his life's vocation in some distant part of the Empire. That is our general position, and, in particular, we have asked for certain things to be laid down in the Constituent Act so as to preserve that position.

As regards our political rights, we ask for these to be preserved as at present on the grounds of our British nationality, and we ask for our representation in the Parliament of Burma to be ensured. For the Lower House we see no option but to endorse the recommendation of the Statutory Commission and ask that our representation should be secured through separate electorates.

For the Upper House we have discussed, without coming to any agreement, whether members should be elected by direct election, by indirect election or by nomination, or by a combination of these methods. We have expressed our opinion that we are not so much concerned with the method as with the result. Of the two forms of election, it seems to us that we are more likely to obtain our representation through indirect than through direct election, but in principle we do not feel bound to one more than to the other. What

we wish to ensure is that whatever method is adopted, if it does not result in giving us the representation we require, it shall be secured in some other way, if necessary by nomination by the Governor.

As regards the question of commercial discrimination, we ask for recognition of the principle that there shall be no discrimination now or in the future against any United Kingdom subject carrying on business in or with Burma. Although there seemed to be some division of opinion on this point when the Committee were discussing our draft report, I think it will be found on studying the proceedings that this principle was generally accepted—the principle of "no discrimination" now or in the future. Some of our Burmese friends expressed the desire not to fetter the power of future Governments of Burma to start new industries or to nationalise industries—a power which cannot be reasonably withheld—but I do emphatically claim that for these purposes it is not necessary and it is not desirable to discriminate against any person or body of persons by legislation or otherwise. And that is a principle which we ask to have laid down beyond dispute in the Constituent Act, as well as the principle expressed in paragraph 26 of the Federal Structure Committee's Fourth Report, R.T.C. 22, that there shall be no expropriation of interests without full compensation.

The Committee of this Conference accepted the general principles underlying the relevant paragraphs in that Report and I consider that those are principles which the Conference should confirm, without binding ourselves or limiting ourselves to the actual words of that document. I want to be quite clear on this point, and must, therefore, refer as shortly as possible to one or two of the paragraphs of this document, R.T.C. 22.

Paragraphs 16 and 17 lay down the general principle of equal rights and equal opportunities, and these are set out in more detail in subsequent paragraphs. In paragraph 18 mention is made of certain grounds on which discrimination would definitely be prohibited. That list is not exhaustive, and is presumably not to be taken as implying that on any other grounds discrimination would be permitted. For instance, there is no definition of residence. When we were discussing the franchise, various suggestions as to the duration of residence to be required were made. In this matter of commercial discrimination it is, of course, fundamental that no particular or minimum duration of residence should be required.

The paragraph does not specifically lay down that there should be no discrimination between a company registered in Burma and a company registered, for instance, in India or the United Kingdom. I presume that is not the interpretation intended to be put on this paragraph—that there could be discrimination on such ground—but one cannot be too careful to leave no loop-holes for misunderstanding. I ask, therefore, that if any attempt is made in the Constituent Act to

specify grounds on which discrimination is not to be permitted, it should be made, also, perfectly clear that nothing in the Act should be taken to imply that discrimination on any other grounds is permissible.

In paragraph 19 it is suggested that the question of commercial discrimination is only one aspect of a much wider question, and that it—like the other aspects—can be treated on the basis of the protection required for minorities. While in one sense the European community, commercial and professional, represents a minority in Burma, we wish it to be understood clearly that it is not only on that ground that we ask for the safeguarding of our rights, but on the ground that we are British nationals residing within the British Empire, and we are prepared to forgo none of the rights and protection which that nationality connotes.

Then there is a distinction drawn in this Federal Structure Committee's Report between those commercial concerns which have an establishment in India and those which have not. That is, I think, in this connection an unnecessary distinction. Both are essential parts of the commercial relations between India and Great Britain, and the interests of both should be safeguarded and protected, where applicable on the basis of reciprocity, a principle which was in one connection referred to by U Ba Pe and accepted by Mr. Howison.

Then, in paragraph 23 of this document there is the suggestion that discriminatory legislation would be a matter for review by the Federal Court. There will, of course, be no Federal Court in Burma, and the Federal Court of India will presumably have no jurisdiction over Burma.

I presume that in Burma in all these matters there will be a right of redress through the High Court and the Privy Council. I endorse also the suggestions that in the event of any legislation being in effect discriminatory, the Bill should be reserved for the signification of His Majesty's pleasure.

We have agreed that the Governor should be given all necessary powers to enable him to discharge his special personal responsibilities, and I understand it is agreed that in his Instructions the obligation will be laid upon him to see that no discriminating disability, by legislation or administration, is imposed on any minority community. I would ask that it be laid down in the Constituent Act that any person who considers himself to have been aggrieved in any of these respects would have the right of appeal to the Governor, who would deal with it in the light of the Instructions laid upon him.

There is one question to which no reference has been made at the Conference, and that is the rights of the European community in regard to criminal trials. It was agreed at the Indian Conference that these rights should be maintained as at present, and I would ask that a similar provision be made in the Burma Constituent Act.

Then there is the small point to which I referred at the last meeting of the Committee of the Whole Conference—it is a mere matter of form, but should, I think, be covered in the Act—and that is the question of ingress and egress rights to and from the Shan States through Burma territory. I suggest that this right should be specifically provided for in the Constituent Act, which should contain a guarantee of free ingress and egress in perpetuity and a negation of the right of any Government in Burma to withdraw or detract from that guarantee in respect of goods consigned to or exported from the Shan States. Such goods or persons travelling to or from the Shan States through Burma territory would, of course, be subjected to the same taxes as might apply to travellers or trade in Burma itself. All that I want to suggest is that the present position as regards ingress and egress rights should be maintained in statutory form.

There is only one more point which I think I need mention, and that is the question of a Trade Agreement between Burma and India. We have not discussed this question here, as it is a matter, I understand, rather for negotiation between the Governments of Burma and India. All I wish to say now is that I hope that the Conference will endorse the opinion of the Burma sub-Committee of the first Indian Round Table Conference that such a trade convention would benefit both countries, and that separation should cause a minimum disturbance of the close trade connections that exist between the two countries.

In conclusion, My Lord, may I say that although I cannot but feel disappointed with the result of our work I should not like to close my last speech to the Conference on a note of pessimism. I see no need for pessimism; for however else we may have failed we have not allowed our frank differences of opinion to affect the friendly personal relations which exist between us. That is a good omen I think for the work which lies ahead of us all when we get back to Burma. We have all learnt, what some of us knew well before, that the Burmese people have a keen sense of humour and I hope and I trust and I feel that that combination of friendly relations and a sense of humour will before long break down the barrier of distrust and suspicion which seems to be standing between us at present. I hope that when the new Burma Government realises the power and the responsibility which is going to be given to them they will realise also that there is no real gulf between the interests of the various communities and that we shall all have our part to play in a common cause. I repeat what I said at the beginning of the Conference that my community is ready and glad to play its part with mutual goodwill with the aim of achieving a rich and happy destiny for Burma at no distant date.

*Tharrawaddy U Pu* : My Lord, I rise to make a statement on behalf of Miss May Oung, U Maung Gyee, Dr. Thein Maung,

U Chit Hlaing, U Tharrawaddy Maung Maung, U Ni, U Ba Pe, U Ba Si, U Su, Mr. Ohn Ghine, U Tun Aung Gyaw and my humble self who compose the Burmese Delegation at this Conference representing Burma.

We are now entering the final stages of the Conference which has been convened by His Majesty's Government for the purpose of securing agreement, as far as possible, in regard to the broad principles on which the future constitution of Burma should be based. We regret that the opportunity—many times sought by us—of more intimate discussion among representatives of different interests through small sub-committees was not conceded in the committee stage as we felt all along that greater facilities were needed to enable the Delegates representing the British Parliament, the Burmese people and the minorities of Burma to understand each other's point of view and to achieve by close discussion and negotiation a greater measure of agreement than has been obtained. In our opinion, My Lord, all that has been achieved so far is the enunciation of views, conflicting more often than not, by those who represent divergent interests. We fear that a perusal of the Report would not enable anyone to understand, without detailed study of the Proceedings, what the views of the Burmese people are as voiced here by the Delegates selected by the Burma Government to represent their interests, because the Lord Chairman refused our repeated request that the views of twelve Burmese Delegates representing the Burmese interests of Burma should be specifically indicated in the Report.

We feel that in determining the future constitution of Burma it is essential for the British Government, and later the Parliament, to know exactly not only what the minor communities numbering about  $2\frac{1}{2}$  millions desire, but also what over 10 million of its inhabitants consider is necessary for their happiness and welfare. We therefore take this opportunity of stating our views as representing those of the Burmese people briefly in regard to the future constitution of Burma.

Our joint demand for full Dominion Status or responsible self-government on Dominion lines was based on a full knowledge of the growing poverty and sufferings of the people which nothing less than the establishment of a National Government with complete freedom of action in the national interest could remedy, even though all that is possible at once might be to afford temporary relief. While countries which have for long enjoyed full freedom with little or no restriction on their power to protect or to promote their interests are faring none too well in these days of economic distress, the position of people in a country like Burma where there is little contact and less understanding between the Government and the governed can better be imagined than described.

We would refer you to the first joint statement submitted by us on the 2nd December in this connection for fuller details.

The second statement made by Your Lordship, together with Lord Lothian's explanatory remarks, is interpreted by us to mean that Burma is to have responsible self-government subject to such reservations and safeguards as may be necessary in the interests of Burma during the transitional period.

We agree that there should be the usual safeguard against a complete breakdown of the constitution, and also statutory safeguards for those in the country who have acquired rights of citizenship, and, so far as it is legitimate, and reasonable, for members of communities being British subjects who are there for purposes of commerce or industry.

We would once again emphasise the necessity of keeping the popular Assembly, that is the House of Representatives, thoroughly democratic and fully representative of the people by removing all nominated and communal elements. The Burmese people are strongly opposed to communal representation on principle and as there is no justification for it in Burma and because the retention of this vicious system would, while failing to achieve any useful object, only accentuate and perpetuate narrow communal feeling to an undesirable extent.

We maintain, My Lord, that any person regardless of race or creed who associates himself generally with the welfare of the Burmese people will have as good a chance as any one else of being returned either to the Senate or to the House of Representatives. Past experience has fully shown the truth of this. The so-called minorities are admittedly very well off in Burma ; there has not been a single instance of a Bill or a Resolution discriminating against any particular minority community having been introduced during the last nine years in the Burma Legislative Council by Burmese members. We hope the British Government and Parliament will consider all aspects of the question before they take the responsibility of saddling the country with this undesirable system.

With regard to reservations, we feel strongly that a classification of certain subjects as reserved subjects would seriously militate against the speedy transfer of complete responsibility. Our proposal is outlined in paragraph 84 of the Report, and we would urge the adoption of this suggestion to transfer all subjects except the control and use of British troops in Burma, which should rest in the hands of the Governor. We are of opinion that the Governor should in every case act in close association with his Cabinet, and concern himself as much as his Ministers would do with the welfare of the people. Our suggestion would afford the maximum amount of training to popular ministers in subjects which are sought to be reserved, and by a gradual relaxation of the powers of the Governor, effect a complete transfer of responsibility to the Legislature without further conferences and revisions, or, as the Prime Minister stated

in his declaration to the Indian Conference, on the 1st December, 1931, "through the constitution." We would very much deprecate having a Governor who is solely responsible to Parliament for the administration of certain subjects, while his Cabinet is responsible through the Legislature to the people of the country. We feel that the position would at times become extremely difficult. We hope, My Lord, that we have made our position in a general way clear and well defined, and we trust that Parliament will meet our desires so that the full co-operation of the people may be secured from the outset.

We would once again urge the need for a speedy settlement of the constitutional question in order that we may effect without delay the restoration of normal conditions in the country. We have stated our views in regard to this matter in detail in the concluding portion of our first joint statement.

*Lord Winterton*: I only propose to say a few words. My colleague in the Conservative Delegation, Mr. Wardlaw-Milne, is unable to be present because he has left for abroad. As he indicated at the last meeting of the Committee, he put off his departure as long as possible, but was compelled to go this week. I have listened with great interest to the speeches that have already been delivered, and I note that there is common agreement on one point in the speeches of Mr. Harper and of Tharrawaddy U Pu—namely, the difficulty, with the best will in the world, of framing a constitution by means of a Conference composed of Delegates holding, with complete sincerity, divergent views. Indeed, the difficulty is almost insuperable, and I would like to commence by saying that I, for one, am very much impressed with the complete sincerity with which views, I might almost say utterly divergent views, are held on both sides of the Committee—that is to say, by the right and by the left.

I hope you will not think it impertinent of me to pay a tribute to the sincerity with which these views are held on both sides.

But a Conference of this kind is by no means infructuous if it achieves a measure of agreement on certain matters which fall to be decided, and on others, has the valuable effect of registering and recording the contrasting opinions, so that a higher authority—in this case, His Majesty's Government and Parliament—may judge between them. That has been achieved by this Conference.

I want to make my own position clear in regard to this Report.

My Lord, the Report is hedged about with so many reservations and qualifications necessitated by conflicting and contrasting views of the Delegates that I cannot, for my part, pledge myself or advise the Conservative Party in Parliament—who, the back bench members at any rate, will doubtless wish to know my views—to support any new Constitution until we see the actual Bill in Parliament. I preserve

a completely open mind. I have indicated the lines upon which, in my opinion, that Constitution might be built, and had it been possible—I make no complaint about it—for those on the left to have accepted some of these proposals put forward, I should have been prepared for my part to pledge myself to support them in Parliament. But as these suggestions have not been universally accepted, I must be regarded as holding myself free to judge the case on its merits when it is brought up in Parliament. I have gone and propose to go no further, and I wish to add that no statement made by the Prime Minister on Tuesday can affect my judgment in this regard, though I shall listen, naturally, with respect to anything he says. What I do await with interest are the proposals of His Majesty's Government in Parliament, and there I would like to say that, when the discussion arises upon them it will be the privilege of those like my colleague Mr. Wardlaw-Milne and myself in Parliament to endeavour, not merely to put our own point of view, but to mention to the House the views which have been held on the left at this Conference. In fact, one of the values of this Conference, as I have already said, lies in the fact that we have been enabled to become advised of the views of those representing the most important interests in Burma.

I would like to pay—if I have not paid already too many compliments—one more compliment to our colleagues from Burma. I have been immensely struck, as I am sure others have been, by the assiduity with which they have applied themselves to the task of presenting the views which they hold. I have been very much impressed by their frankness and their sincerity, and I have the utmost admiration for their command of the English language. In fact, I feel rather ashamed that I can speak no foreign language at all well when I hear the admirable way in which they speak the English language. I imagine that it must be the earnest wish of all of us belonging to the British Delegation that the new constitution, when it is produced, will be a workable one and that it will work in the interests of an ancient and fruitful land.

Finally, My Lord, as this is the last occasion on which I shall address the Conference, I would like, if you will permit me, to pay tribute to the manner in which you have presided over our deliberations. I do not believe it would have been possible in any country to find any chairman who would have given so much satisfaction as you have done. May I say once again to my colleagues on the left, that if I have occasionally put my views forward with aggression I hope they will pardon me, and feel that at any rate I am an opponent of theirs who has admiration for the way in which they have put forward their views.

*Mr. Cowasjee :* My Lord, at the first Plenary Session of this Conference and during the Committee proceedings I have placed before the Conference the position and the claims of the Indian community

in Burma, and I have also spoken on several occasions on the subject of minority safeguards and the protection of minority interests. Those views have been embodied in the Report before us and, therefore, I do not propose to go into or reiterate the points that I have already urged. There is only one point that arises out of the statement which my friend Tharrawaddy U Pu has made. He said that he objected to communal representation as a matter of principle.

*Tharrawaddy U Pu* : Only.

*Mr. Cowasjee* : Very well, as matter of principle only. What is the true principle of democratic government ? Is it not that the Government of the country must be truly representative of all the component elements in the population of the country ? If my friend could devise any means to ensure that the Indian community or any other minority community could be represented in the Legislative Council of the Province of Burma by the adoption of any other scheme I would give my attention to that point of view, but no such scheme has been put forward. I go to the extent of asserting that it is impossible for any member of any minority community to secure a seat in the Legislative Council of Burma in the absence of a special electorate for the minority community. Without such special electorates a member of the minorities will not have the slightest chance of being elected in the Legislative Council of Burma, I venture to think, for many, many years. There is, unfortunately a feeling of hostility not only against the community that I represent but against all communities who do not form the indigenous population of Burma. Unfortunately, that feeling of hostility has increased and is increasing. The history of the Legislative Council of Burma for the last several years will establish the proposition that I make. Whenever any anti-Indian legislation has been introduced in the Burma Legislative Council that legislation has been carried by the votes of the combined political Burmese parties in the Legislative Council. In justification of my statement I would refer to the Memorandum submitted by the Government of Burma to the Indian Statutory Commission. On page 334 of that Memorandum you will find this paragraph :—

“ The measures involving racial considerations were the Rangoon Development Trust (Amendment) Bill, 1924, the Tax on Sea Passengers Bill, 1925, the Expulsion of Offenders Bill, 1925, and the Rangoon Port (Amendment) Bill, 1925. The objects of the Rangoon Development Trust (Amendment) Bill and the Rangoon Port (Amendment) Bill were racial, but their provisions did not go far enough to satisfy the opposition, which pressed amendments to the former to increase Burmese representation on the Board of Trustees, and in respect of the latter, not only moved several amendments with the same object, but, after the amendments had been defeated, opposed the Bill as a

whole on the ground that it did not adequately recognise Burmese claims. The greater part of the discussion of the Tax on Sea Passengers Bill and the Expulsion of Offenders Bill was on racial lines, and disclosed a sharp cleavage between Indians and Burmans."

*U Ba Pe* : That is wrong.

*Mr Cowasjee* : My friend says that is wrong, but that is the report of the Government of Burma, and, unfortunately, a report with which my community seem to be in agreement. That being so, and having regard to the fact that there is the absence of the true democratic spirit in the Province of Burma, if you do away with the existing special electorates you will find that a very large population of the Province, a population which has large vested interests in the country, will go entirely unrepresented in the Legislative Council of the country ; and that fact was recognised in 1921 or 1922 when the special electorates were first constituted. There is the outstanding fact that from 1922 right up to now we have had special electorates for smaller communities in order that these smaller communities may have some representation in the Legislative Council of the country. I submit, therefore, if this special electorate is to be abolished, some sufficient good cause must be shown. It is not sufficient to come forward here and say it is wrong on principle, when facts show that the hostility has increased considerably within the last ten years on account of the agitation of a certain section of the Burmese press instigated by a certain class of Burmese politicians.

Then, My Lord, there is one other point on which I desire to make a few observations. The conclusion of paragraph 85 of the Report reads :—

" It was suggested that in upholding these rights, there should be a final right of appeal to the Privy Council. But this suggestion was criticised on the ground that it would inevitably have the effect of bringing the Government or Governor of Burma, in the discharge of their administrative responsibilities, into conflict with the highest Court of Appeal in the Empire."

While admitting that there is considerable force in support of that view, I would ask that there should be no specific provision in the Statute which would take away the rights of the subject to have a question of this nature determined in the ordinary way by the civil courts. We often have provisions in statutes which make the decision of the Governor or a particular authority a finality, which take away the jurisdiction of the court to adjudicate on any issue between subjects of His Majesty and the Crown, and I desire that there should be no provision inserted in the Statute, whatever the Statute is going to be, which would deprive the subject, if he so chooses, from taking proceedings in a court of law to have his rights adjudicated by the civil tribunal. Of course, in cases where the

jurisdiction of the civil court is not taken away, in the ordinary course there would be an appeal to His Majesty in Council as a court of final appellate jurisdiction from the decree and judgment of the courts. So I ask that there should not be any such provision in the Statute, but, on the contrary, there should be some provision expressly stating that the jurisdiction of the court is not taken away if any aggrieved party chooses to question the decision of the Governor in a court of law.

My Lord, no further point has been raised by my friends in their written statement affecting the rights of my community that would justify further observations on my part. I ask that the communal electorate system which has been in force should be continued until such time as the minority communities feel that they have sufficient confidence in the majority, and until they apply that the communal electorate be removed and that they be put upon the general electorate.

*U Aung Thin* : My Lord, let me congratulate you on having been able to bring us to port. If we look back, we see that our way would have been less smooth and more troublous if it had not been for your unfailing tact, ready wit, resourcefulness, and, above all, admirable patience. I would also congratulate the British Delegates on their sincere endeavour to give to the Burmans a self-governing constitution which they can reasonably manage with benefit to themselves and to the people at large in Burma. In saying this I am not indulging in empty flattery. I believe every Burman Delegate, unless he has blinked at palpable facts, is bound to see what I saw in the British attitude. That attitude was altogether sincere and sympathetic, although it looked rather stiff and unbending, as it is necessarily determined by the exigencies of the existence and the safety of the Empire. The British Empire is an expression of their ideal of political and economic life, an ideal which has cost them so much sacrifice in the process of its realisation. To them the Empire connotes peaceful life, liberty and prosperity not only to themselves but to all the component parts of the Empire. It is true that some parts of the Empire do, while approving of the ideal, feel that they are not getting equal treatment. That feeling is not a figment but a fact, yet to me it appears a happy augury that it is not worse off than it is, and I think it is wiser, surer and safer for all concerned to adhere to the ideal and to proceed to endeavour to improve and perfect the working of its machinery.

As to my Burmese friends on my right, whose idea of Burmese nationality, as we have heard, depends upon a degree of extremism expressed in the name of Burma, let me tell them that the only way to meet the British and to get the most out of them in their present favourable mood is to recognise the first condition—namely, that the Empire must be safe, and that the safety of the Empire

must, for the present at least, be the care and responsibility of the British Parliament. In fact, the idea of reforms in the Imperial units was primarily inspired and actuated by considerations of the greatest safety of the Empire, and on no account can we expect Parliament to allow their concessions to defeat their object. From the point of view of Burma the safety of the Empire means the safety of Burma. Her self-realisation—nay, her very existence—depends on the protecting powers of the Empire.

I cannot think of Burma as Burma apart from the Empire. If that is true—and I believe every Burman Delegate admits the truth of it—then why not say so frankly, and try to meet the British and accede to them such a position within the country as is strictly consistent with their position outside the country, and in strict consonance with their Imperial charge?

Those are the limitations which are, in the present conditions, indispensable and indefeasible, as much in our interests as in the interests of the British people. Within the ambit of these limitations which are otherwise termed safeguards, the self-governing institutions must operate. The test of the British generosity and goodwill lies in the extent to which they are prepared to go within the limited scope. The test of the success of the Burmese Delegation lies, not in the volume of threats, nor in obsequiousness, but in the power of their persuasiveness to prevail upon the British to trust in their reasonableness, their sense of responsibility, and their ability to manage their own affairs within the limits prescribed above.

In any case, whatever may be the outcome of this Conference, I would strongly deprecate Indian analogies, Indian diplomacy, and Indian methods in Burmese politics, and I would appeal to my Burmese friends to follow the wiser course and not “kick against the pricks,” of which we are getting, at present, such a deplorable experience.

*Mr. Kim Seing* : I should like to begin by joining with Lord Winterton in paying tribute to the patience, sympathy and impartiality which Your Lordship has shown during our deliberations. I earnestly hope that the partial success of our deliberations will lead to a reform with a great measure of responsible government, so that we may, in the shortest time, achieve full responsible government. For myself, I may say that I feel that every shade of interest should find satisfaction in the new Constitution so as to achieve the harmonious working of the parliamentary machine and the rapid progress of our country.

In my previous speeches I have been at pains to impress upon the Conference that in the new Constitution an adequate representation should be allotted to the Chinese Chamber of Commerce. The right of representation of this body has been recognised, and at present it returns one member to the Legislative Council. But it is considered that the representation by one member only is

not adequate. The Chinese commercial interest in Burma is a considerable one. Their interest covers not only a good portion of the produce trades of Burma, but also extends largely to exports and imports to and from Eastern ports. They also have a large milling industry throughout the Province. In short, as I have said before, there is not a town or village in Burma without its Chinese business concerns, and I may also point out that the Chinese are taking keen interest in the economic field, as well as in social and political fields in Burma. There are Chinese members to be found in Circle Boards, District Councils, and in nearly all the Municipalities.

It is, therefore, obvious that they are as important as any other community and they should be adequately represented by increasing the representation of the Chinese Chamber of Commerce, especially when they are not claiming communal representation. I do not think that two per cent. of the seats of the new Legislative Council is out of proportion to the importance of their commercial interest and the importance of their community.

Secondly, I shall give a little explanation on behalf of the Burmese Landowners' Association. I believe there is nobody here to deny the importance and the large stake that the landowners in Burma have in the country, yet their claims have been challenged on the grounds that the Burmese representatives in the Legislature will consist of a good number of landowners. But, My Lord, my point is that these representatives who were returned from the general constituency are not particularly representative of this class of interest. I, therefore, consider that they should have representatives of their own.

In conclusion, I thank you, My Lord, for all you have done for Burma throughout this Conference, and I hope that the constitution evolved may be satisfactory to all concerned.

*Miss May Oung* : As representative of the women of Burma, my duty is to repeat again the women's demand to be recognised as individual members of the State and to be guaranteed that there shall be no discrimination against them. In days that have now gone by, whenever a woman rose to make any demand for her sex she usually caused merriment amongst the other sex. But, My Lord, I am very grateful to you and to the other members of the Conference for the way in which they have accepted the demand I put forward on behalf of the women of Burma. It has been agreed by the Committee that women shall have political rights, that is, they shall have the vote and be eligible for election to both Houses of the Legislature. But I think it is necessary to say that the suffrage alone cannot cure all evils. Women in many countries have discovered from experience that inequalities in other spheres are as unjust and as dangerous to their self-expression and self-development as inequalities of the franchise. I would like to remind

the members of the Conference that a nation of which a portion—maybe a large portion—is denied equal treatment must necessarily be handicapped in its progress towards full development.

Men and women should meet on equal ground and rewards should be given by merit only, with no consideration of sex either way. The result aimed at should always be to get the best for the good of the country. Minorities and special interests have asked for equal rights and equal opportunities and it has been generally agreed that there should be no discrimination. We women claim that we are much more important than any minority. Whereas the minorities have to prove their existence and their claims, there can be no doubt that we women exist and that we are absolutely essential to the State. Unlike minorities again we do not desire special treatment. We want to accept the same responsibilities and to exercise the same rights as our men. The theory that women are incapable of taking their fair share of responsibility has, I think, long been proved erroneous. In Burma the women who have been given responsibilities in the home, in the wards in the towns, and in the villages, have justified their position and I desire to assert that the sense of responsibility does much to fit anyone for undertaking further responsibility.

Another point to which I would like to refer is that the question of equal rights is a domestic affair. My Burmese brethren, I think, have agreed with me when I have stated that the women of Burma should have equal rights in all matters. Therefore I ask, again, that His Majesty's Government should be pleased to satisfy the women's demand and to insert in the Declaration of Rights in the Constituent Act a clause stating definitely that men and women shall have equal rights in Burma.

*Mr. Haji* : My Lord, on the last day of a Conference like this one naturally looks back on the earlier days and the discussions that took place then. When I look backwards over the last few weeks I am struck by the coincidence that somehow or another, each time that I have spoken, with profit to myself it has been my privilege to follow Miss May Oung. I feel particularly fortunate in following her today because I feel as a representative of a minority that I have succeeded in getting one more to enter our fold. The words which she spoke so eloquently just now in putting the case for the women of Burma might equally be used on behalf of the minority communities. She wants no discrimination against women. We also want a guarantee that there shall be no discrimination. The fact that it is possible for a Burmese lady to put forward arguments almost exactly similar to those that we have used on this side, shows convincingly that we are as patriotic and as national in our outlooks as the lady Delegate herself. I think that after this we shall hear no more said about us in that regard. Before I go into the details of the various points raised this morning I would like to refer to

one point—I do not know if I have taken a note of it correctly—made by Mr. Harper.

He said—that is how I understood or misunderstood him—that he wanted no discrimination against European subjects in Burma. Probably, I think, he meant British subjects. I do hope he did not mean or did not intend to narrow down still more the idea of British subjects, because, if so, each time we narrow down the connotation of “British subject” we are removing one of the main pillars of the solidarity of the Empire. Therefore, I feel that what Mr. Harper really meant—and I am sure if he was here he would agree with me—was no discrimination against British subjects.

The other point which has been brought out this morning by my friend Tharrawaddy U Pu, and has been earlier referred to by my friend U Ba Pe, had reference to the communal problem in Burma, and both of them stated that there should be no communal electorates. Now, My Lord, I feel that so long as the communities concerned feel that they want communal electorates, so long they should have them. It will depend upon the outlook and the work and the actions of the majority in future as to how far the minorities will give up their present position, and I do hope that whenever that time comes—I think I have stated it before, and I should like to repeat it here—no change in the separate electorate method will be made without the willing consent of the parties concerned.

I am glad, My Lord, that my friend Tharrawaddy U Pu, in his reference to the communal problem, and particularly to the Indian problem, did not bring in facts, right or wrong, which I am sorry to say have characterised the speeches of some of his Burmese colleagues on this problem. I do not want to raise any controversial point, but I will only say one or two things. As a matter of fact, I will not say them for myself, but in order that our records may be complete, and in order that the ridicule that was at one stage poured upon certain classes of Indians in Burma by some Delegates may be utterly dissipated, I would quote to you the nature of the business that the Chettiar perform in Burma. During the earlier stages of this Conference you have heard them referred to as money-lenders, and I know, and we all know, how money-lenders are talked about with contempt, if not always treated with contempt—certainly not when we go to borrow money from them.

*Chairman* : We will call them bankers, shall we, today ?

*Mr. Haji* : Not only shall we call them bankers for convenience, but we will call them bankers because they are bankers first and money-lenders afterwards. I know that in the English language the word “money-lender” has some ethical content about it ; it puts before you ideas of usurious rates of interest.

*Major Graham Pole* : So it has in India, has it not ?

*Mr. Haji* : I know ; but the standards are different. I am going to show you that in a moment. Here in England I suppose 15 or 20 per cent. would be regarded as a fairly high rate, verging on the usurious. The usual High Court practice in this country has been, or it used to be, I know, during the days when I was a student, that 12 per cent. was regarded as being as high as the High Court would allow ; but what are the facts in Burma ? After all, you cannot judge conditions in Burma either by English standards or by Indian standards ; you have to look at the subject from a definite point of view. In Rangoon, when a Chettiar goes to get money from one of the joint stock banks he has to pay, according to the time of the year, from 7 to 10 per cent. That is what the Chettiar pays to the bank. The Rangoon Chettiar thereupon lends money to the district Chettiar, and charges 3 per cent. more. Mind you, that is one Chettiar against another. The district Chettiar has to pay 10 to 15 per cent. Now, the district Chettiar, when he lends the money to the Burman agriculturist or the trader, charges 15 to 18 per cent. A rate of 15 per cent. is a very common rate for co-operative banks to charge in Burma, and surely it is not suggested that when the Chettiar lends at a maximum of about 18 per cent. it is unreasonable. Of course, that is on good security. I can give you examples where a Chettiar has charged 30 or 40 per cent. because there was no good security ; but they are not the examples from which you can generalise. If you want to generalise you must take the normal facts. What is the rate of lending money on good security ? The co-operative bank will charge 15 per cent., your Chettiar will charge 18 per cent. and that is not usurious.

I have said that there are cases where property is charged even 50 per cent.

*Tharrawaddy U Pu* : You should see Burma.

*Mr. Haji* : It is not only a question of seeing Burma, but of studying the subject. I have here a Report from the Burma Provincial Banking Enquiry Committee. I am not contradicting the Delegates who are interrupting me. All I am saying is that there are people here and elsewhere—I am sorry to say in some unexpected quarters as well—who have got some wrong opinions on the subject. I am not contradicting Tharrawaddy U Pu for the sake of contradicting him. The point I really wanted to make was with regard to the Chettalars. These are not the only people who charge high rates of interest. As a matter of fact, I have here the Report of the Provincial Banking Enquiry Committee to which I have alluded, which will show that the Chettalars are not the only people who lend money. The Report says that the most numerous of the non-Chettian lenders are the indigenous people of the country, that is to say, chiefly the Burmese, including the Karens. In some places there are many Karen lenders. It has been stated that the Indian Chettiar grabs all the land. Those of you who are in business

will understand that to a banker it is more important that he should have money circulating among his customers than that it should be locked up in mortgages so that he is compelled to take possession of properties he does not want. That is what one should expect from the natural course of events, and that impression is confirmed by what I find here in the Report. It says :—

“ Most Burmans who have enough money to lend on a considerable scale are landowners, letting their land to tenants. They invest a part of their money in land because that is the traditionally safe investment and often the only one they trust, and because it gives them social position and because they can use the land as security for loans to increase their capital for lending or to finance the purchase of paddy for storing. Money-lending and paddy trading are more profitable than land-owning, and get a share of the capital accordingly. It is probably not true, although the contrary is often stated, that professional Burman lenders are prone to overreach a borrower so as to get possession of his land. They find it easier to manage land and to make it pay than a Chettiar does, and consequently keep it more often if it falls into their hands.”

A most natural state of affairs. I do not find anything to quarrel over, but please do not let us be told that the Chettiar goes from India with his money, because remember he takes very little from the Joint Stock Banks.

I hope after those quotations I have done something to dissipate an opinion that I know at one stage prevailed in this Conference.

*Tharrawaddy U Pu* : No longer now.

*Mr. Haji* : I hope so.

*Mr. Haji* : My friend U Ba Pe at one stage in the deliberations with regard to the communal question stated that he could not understand why the Parliament in England advocated separate electorates when no one wanted separate electorates in Burma, and he quoted my friend Mr. Ginwala as an authority opposing separate electorates.

*U Ba Pe* : I did not quote him at all.

*Mr. Haji* : You did.

*U Ba Pe* : I said he was an important member. I quoted the Committee's decision.

*Mr. Haji* : Then I need not worry about it. That leaves me with very little to say.

There is one point I would like to mention just to elaborate a point which was made a little earlier. I really do not know how the machinery is to be evolved, but this is what we want. We desire

that a member of a minority community in Burma should have the right to appeal to a judicial tribunal with a final appeal in this country against any decision of the Executive, including the Governor, that in his opinion takes away one of the rights safeguarded to him under the Constitution.

My Lord, before I sit down, I think it is only fair to myself—and I am sure here not only is there the largest measure of agreement, but there is unanimity on the question—to say that we are all thankful to you for the manner in which you have discharged the duties committed to your care, and for the consistently good humour—I might almost say, good fellowship—that has characterised your participation in this Conference. On behalf of all of us I beg to thank you for the assistance you have rendered to the Conference.

*Miss May Oung* : Might I make a personal explanation ? I definitely stated that we are much more important than a minority. We do not claim special treatment or special electorates.

*Mr. Haji* : That is a matter of detail.

*Miss May Oung* : I could not let it pass that Mr. Haji should say I have made a demand on the same footing as the minorities.

*Mr. Haji* : I did not say that.

*Chairman* : No.

*Miss May Oung* : Or that they were on the same footing as us. I definitely say we want to stand in the open field with our men demanding equal responsibilities with equal rights. I am just clarifying my position.

*Chairman* : Yes, quite so.

*Mr. Harper* : My attention has been called to a statement which I made in my speech this morning, and a question which Mr. Haji asked about it while, I regret to say, I was temporarily absent. He referred to a part of my speech where I asked that there should be no discrimination against United Kingdom subjects resident in Burma, and he asked, I think, whether that was meant to imply that there should be discrimination or could be discrimination against, for instance, Indians.

*Chairman* : Other British subjects.

*Mr. Harper* : Other British subjects. That was, of course, not in my mind. I was thinking primarily of the particular interests which I am here to represent, and later on in my speech I referred to the principle of reciprocity which we have accepted, and on that basis, of course, I have contemplated that there would be no discrimination against Indian or any other British subjects whose domicile is in parts of the Empire which reciprocate with equal treatment to Burma. I hope that makes the point quite clear.

*Major Graham Pole* : My Lord, I regret very much the enforced absence of my colleague, Mr. Hall. He has asked me to express to you, My Lord, and the Delegates his great regret that he is not able to be with us. In these circumstances, it falls to my lot to represent at this Plenary Session the Labour Party, whose nominee I am, and to state briefly my position. Unlike Mr. Harper, I am not surprised at the comparatively small number of points on which we have reached unanimous agreement. Rather am I surprised, considering the very diverse elements which compose the Conference, that any general agreement has been achieved on any point of substance.

It was, I think, wise to invite to the Conference the representatives of minorities—however varied their importance. I think their case should be stated and considered. It would be very unwise, however, in my opinion, for us, or for His Majesty's Government, to give undue weight to the opinions expressed by minorities which are necessarily very sectional, and may in fact be opposed to the views or interests of the great mass of the peoples of Burma.

But while protecting the legitimate claims of minorities, it behoves us to be very careful to guard the greater rights of the majority. Unless His Majesty's Government can produce some Constitution that will satisfy—if not fully, at least to a workable extent, the legitimate aspirations of the majority, we are going to repeat the mistakes that have been previously made. Instead of having a Constitution that will have the willing co-operation of the people of Burma, we shall be met with boycott and the unrest following on agitation for what Burmans have been led by the Prime Minister, and other Government spokesmen, to believe has been promised to them as their legitimate right—and, indeed, as their birthright.

In view of what Lord Winterton has said I think it right to state that the Labour Party in this country stands for full responsible self-government for Burma. We realise, of course, that, in the interests of Burma, it may be necessary to have certain safeguards for a purely temporary period. But these should be in Burma's interests, and so devised as to give to Burma real self-government and not so as to make ineffective the government of Burma by Burmans.

It would, in my view, be fatal to real self-government if safeguards were to be long continued, or if the special representation of minorities or special interests were to be a permanent part of the Constitution of Burma. What we must aim at is to make Burmans masters in their own house and full responsible partners with us in the British Commonwealth of Nations. Minorities and special interests must learn so to identify themselves with the public life of Burma that they will require no special representation.

Even the temporary representation of minorities and special interests in the Burmese Parliament must be such that it would not

be possible for them by combination with any section to overthrow the majority party and so render ineffective the wishes of the great mass of the Burmese people.

I am also of opinion that the new constitution must be such as will automatically develop into full self-government without the necessity of coming back for another Act of Parliament. I am strengthened in this view by the opinion expressed by the Simon Commission. The words of the Report of the Statutory Commission in dealing with India are that :—

“ the new constitution should, so far as possible, contain within itself provision for its own development ; ” and, under the heading of “ Evils of a temporary constitution,” they say :—

“ Those who have to work a temporary constitution tend inevitably to fix their minds upon the future instead of on the present. Instead of making the most of the existing constitution and learning to deal with practical problems under existing conditions, they constantly endeavour to anticipate the future and to push forward the day for the next instalment of reforms.”

In my opening speech I quoted the opinions of Sir Tej Bahadur Sapru and others in the Report of the Indian Reforms Enquiry Committee (the Muddiman Report) that :—

“ the constitution should now be put on a permanent basis with provisions for future automatic progress, so as to secure stability in the government and the willing co-operation of the people.”

This also was the view of the “ Statesman ” newspaper of Calcutta, and I think it is the sound one. The words of their leading article, which I previously quoted, are that :—

“ The next step should not be another transitional constitution carrying with it inevitable agitation for something more drastic, but a definite settlement with an air of finality which will enable Indians to set about the proper tasks of politics and to turn away from the barren work of agitation for constitutional reform.”

I have been very much impressed with the unanimity of the solid bloc of twelve Burman Delegates who, on all matters of vital importance, spoke practically with one voice. That is a point of great importance for His Majesty’s Government and one to which due weight must be given.

As I pointed out in my opening speech, any government that is good government and not despotism, must, in the last resort, rest ultimately only on the consent of the people governed. We therefore hope that, keeping this ideal before them, His Majesty’s Government will evolve such a constitution as will command itself

to the Burman Delegates here—who, after all, will have the chief responsibility of popularising it and launching it in Burma—so that they may secure not merely the stability of the Government but the willing co-operation of the masses whom they represent, which is the one essential for success.

The Burman Delegates, as well as we, realise that the financial stability of Burma is at the root of the whole problem. We have discussed in committee the functions of the Finance Minister and also of the Financial Adviser, who will be at the service both of the Governor and of the new government. Might I, at this stage, throw out another suggestion—that there might be a Finance Committee of the House of Representatives who might meet, consult and discuss both with the Finance Minister and the Financial Adviser the financial proposals regarding what we may call the “reserved” as well as the “transferred” subjects. Such a committee, I think, would help enormously in familiarising Members of the Burman Parliament with the details, complications and effects of financial proposals, and give them the necessary training in dealing with these matters.

I end on what I consider is the really important point, and the point on which the Party I have the honour to represent lays most stress, namely, that whatever constitution is evolved it will be useless unless it is such that it will satisfy the aspirations of the great masses of the Burman people on whose backs the State rests and on whose willing co-operation the success of the new constitution will depend.

*Lord Winterton* : When the last speaker spoke of the great majority of the people of Burma does he also have regard to the minority? Does he wish to see their legitimate desires satisfied as well?

*Major Graham Pole* : I think, My Lord, I have stated that quite clearly; while protecting the legitimate claims of the minorities.

*Sir O. de Glanville* : My Lord, when we opened this Conference we all had, I think, great hopes that we would arrive at a considerable amount of agreement, and that the result would be the broad outlines of a constitution acceptable to majorities, minorities and all interests in Burma. It is, I think, with great regret that we must look back on the results of our labours, and come to the conclusion that we have to a very large extent failed on the most material points.

The constitution suggested by a large number of Burman Delegates is a constitution with no safeguards, except in the event of a complete breakdown; with no protection of minorities, and with practically no representation of their interests in the Legislature. Such a constitution would never, I am afraid, be a success, as it would have such a large body of the people dissatisfied with it. No constitution will be acceptable to the minorities of Burma which does not provide ample protection for their existing rights and for their future existence. No constitution will be

acceptable to the minorities in Burma unless it has ample safeguards, not only against complete breakdown, but safeguards to prevent that stage of complete breakdown being arrived at.

There is in Burma a very large body of Burmese opinion which has hardly been alluded to in this Conference ; that is the moderate Burmese opinion. It is that moderate Burmese opinion which has enabled the present Constitution to be run successfully, notwithstanding the opposition of representatives who are here. When I speak of moderate Burmese opinion, I mean that moderate Burmese opinion which has always been on the side of law and order, and which has not only attempted, but which has succeeded in carrying on the system of dyarchy during the past six years. That opinion is strong in Burma and is numerous, and, were it not for the existence of that Burmese opinion, we should be acting possibly rashly in supporting a demand, as we have supported it, for an advanced constitution for Burma. I would ask the British Delegates to bear in mind that all the people in Burma are not extremists ; that there is a great and, I believe, a growing body of moderate opinion to which the advanced constitution can be entrusted. It is in my belief in that growing body of Burmese opinion that I have given my support and do give my support to an advanced constitution for Burma ; and I hope the British Delegates, especially those who have expressed doubts as to the future, will satisfy themselves on this point before they decide that they must reconsider their position.

The safeguards that we ask for in the Constitution have already been detailed fully by those on this side of the table. They have been mentioned by the British Delegation as well. I think the views that have been expressed by those on my right emphasise the necessity for these safeguards being clearly expressed in the Constitution.

As regards the minorities, they, too, require protection. A mere statement in the Constitution is not sufficient. The statement in the Constitution has been described as a paper safeguard which is not of much value, but for what they are worth we consider that there should be constitutional safeguards embodied in the new Government of Burma Act. Our greatest safeguard, however, will be adequate representation in the Legislature, and for that we press and press most strongly. We look to Parliament to see that all existing and future rights of individuals and of minorities are protected. That, I believe, is in the best interests of Burma. We do not fear that the majority party in the Burma of the future will oppress minorities. If it does not oppress them then there is no harm in having safeguards, because these safeguards will never have to be resorted to. But we must provide for the possibility, and the same applies exactly to the safeguards as to the working of the Constitution itself. The only safeguards that have been unanimously proposed, I understand, today are those safeguards providing for the case of a complete breakdown ; and these, I am afraid, are not sufficient.

On the question of reservation, we must, I think, accept the view which was stated at the Indian Round Table Conference, and which has been, I think, fairly clearly stated here, that there must be reserved subjects. The same, I believe, as the Indians are going to get. There will be the same reservations as regards Burma, I understand, and I do not think that we can legitimately ask for more.

When the Government does make up its mind as to the constitution which we are to have I hope that the realisation, the bringing into force of the constitution, will be speedy, and in that I hope Lord Winterton will give us his aid as he promised at an earlier stage. I believe that putting this off from year to year and from month to month only allows further time for agitation. Whatever constitution we have, pray let us have it quickly.

On the point that was raised by Mr. Cowasjee as to the question of legislation being tested by the High Court and ultimately by the Privy Council, there have been suggestions that the Governor should have powers to veto or to control legislation which, he considered, infringed the rights of minorities or trade interests or whatever it may be. I think it would be preferable if in the Constitution it is laid down that certain things shall be *ultra vires* the Legislature, and that the decision as to what is or is not *ultra vires* the Legislature should be subject to review by the High Court and ultimately by the Privy Council. I do not think it should be entirely left to the Governor to be the final authority on that point. The Governor would be entrusted with the duty of seeing that the safeguards are carried out, but with regard to legislation I think the ordinary course should be adopted that any person should have the right of challenging in the Court the validity or otherwise of an Act of the local Legislature.

I do not think I need say any more on these points, but I would repeat that I still hold the view that Burma should get full responsible government with safeguards in the transferred subjects. I hope that nothing that has transpired at this Conference will in any way induce British Delegates to oppose that claim. The question of safeguards, of course, is for Parliament to consider.

In conclusion, My Lord, I would like to join with the other Delegates in congratulating you on the way in which you have carried out the duties of Chairman of this Conference. Were it not for the way you have acted and the advice and help you have given us, we would not, I think, have progressed in the friendly and, within limits, successful way we have done. I join with the other Delegates in thanking you for your services.

*Lord Mersey* : My Lord, I had not intended to say anything, but as my other colleagues who are present in the British Delegation have addressed the Conference, it might seem remiss or uncivil if I did not add a few words. Mr. Isaac Foot, my colleague, is away in Geneva on Government business and I apologise for his absence.

The work of this Conference has been, I believe, of very real value to Burma, to this country, and, indeed, to the world, for it has manifested clearly that a spirit of mutual co-operation, forbearance and progress animates the representatives both of eastern and western, of ancient and modern civilisation. It is a long time since I was in Burma, but I have always retained happy recollections of that attractive, friendly and loyal country, and to meet again so many able and patriotic Burmans and inhabitants of Burma has been a real pleasure and an education to me.

Self-determination is now the order of the day, and those nations who have flourished under responsible government cannot but look with sympathy on the endeavours of other people to follow their example. The Liberal Party in this country is, I am sure, in full accord with the aspirations of Burma safely and wisely to implement and develop its own future under adequate and sensible safeguards. We have been fortunate in this Conference in having the guidance and assistance of many able colleagues and, particularly on the British side, that of the recent and the actual Secretary of State and the recent and actual Under-Secretary of State.

Personally, I have a profound belief and confidence not only in the ability and insight of our present Chairman but also in the personality, the fair-mindedness and the vision of Sir Samuel Hoare and of all his able office, and I feel convinced that any constitution given to Burma under his auspices will be just, progressive, and successful, and I give it every good wish in my power.

*Chairman* : I really do not intend now to deliver anything in the nature of a speech, though I should like to offer one or two very short comments on some of the views which have been expressed to-day.

We have now reached, of course, the last stage of our proceedings. The final stage, if I may make the distinction, will take place on Tuesday next, when the Prime Minister will make a statement to the assembled Delegates.

I would like to comment on one or two minor points in the statement made by Tharrawaddy U Pu. He regretted that more subjects had not been assigned to separate sub-Committees by whose careful examination there might have been reached some degree of agreement not attained in open conference. I think he rather held me guilty of having denied the right to hold these sub-Committees. I rather repudiate that suggestion. It is quite true I indicated my view that as there were so few of us here compared with the Indian Conference that we might very fairly discuss all these things in a Committee of the whole House. I only indicated that as my view, and it was accepted by the Conference. I have not throughout the Conference wished to dictate or express my view unduly on the Conference or on any members of it. I will only say by way of comment that there was one sub-Committee—I agree it was an

informal sub-Committee—which was set up to consider the question of minorities. Unfortunately, that sub-Committee was not successful in coming to a conclusion or reaching an agreement ; and if, therefore, I may judge by the success of that one sub-Committee which was set up, I am not sure we would have been very much more successful if a larger number of committees had been set up.

The other point of criticism was, I think, this. He told us it was not made clear in the Report that, for instance, a large representative number of Burmans had expressed a particular view.

Well, I will not repeat what I have said on that subject ; I will only refer to the prefatory note that I have submitted on the first page, which shows the general principles on which I went and the precedents that I had followed in giving that advice to the Conference.

Much has been said, of course, on the question of compromise, and regrets have been expressed that there has not been a greater measure of agreement on certain important subjects. I regret it also. But there are two methods, of course, of conducting a conference, of which I think the Conference has preferred to follow one. One way of doing business is for Delegates to express their different views ; listen to other views, and by degrees arrive at a general common measure of agreement on a particular subject. That is one method. The other method is one that the Conference has chosen to follow. That is, that each group or party or those representing separate opinions have chosen to express their views in the most definite possible way, giving the fullest and sharpest expression to them.

Both methods are, I think, of value, and certainly the last method brings out very clearly before the Government and Parliament here the views of the different sections of thought in Burma. But, of course, a heavier duty I think is thrown upon the Government and Parliament if compromises and agreements have not been arrived at. That is, it is their duty to consider all these different opinions and arrive at a decision which must be as far as possible the resultant of or a compromise between all these different views which have been expressed. But both methods are possible to the Conference, and I am not criticising the Conference because they have followed one method in the course of the discussions.

As regards the question of safeguards, I understand that the view expressed on my left has been that there should be only safeguards or powers of action by the Governor in the case of a breakdown of the Constitution. Well, a breakdown of the Constitution is a very serious and terrible matter. It is one of those things that we want, above all things, to avoid. My idea, and, I think, the idea of some of these Delegates also, was this. By the safeguards, and possibly by the use of the safeguards, in certain circumstances we should not arrive at the serious situation in which the Governor had to intervene because there was a breakdown of the Constitution.

I regard that as a final and terrible power which may have to be put into the hands of the Governor, which I hope will never have to be exercised, and the exercise of which might be largely mitigated by the insertion of other safeguards before reaching such a serious and disturbing situation.

The other point on which I would like to say a word is this. Tharrawaddy U Pu, U Ba Pe and his friends have talked a good deal about the safeguards, their criticism of safeguards and the subjects and controls reserved for the Governor. I cannot help thinking that during the Conference they have possibly concentrated their opinion too much on these safeguards and controls, and they have not sufficiently realised perhaps—or anyhow possibly their supporters in Burma have not sufficiently realised—the enormous transfer of actual control of business which under the Constitution foreshadowed must come to the Government and the people of Burma. After all, take the great range of subjects known as Provincial; take also the great range of subjects known as Central. It is a tremendous weight of fresh responsibility that is going to be thrown upon the Legislature and the Executive of Burma. If they were good enough to weigh up all these new authorities with which a government may be vested, I think they would find that the so-called controls and safeguards shrink into a less important place in view of the great range of authority which is extended to Burma.

I hope the Government of Burma will be conducted with reasonable success. I use the word "reasonable," because, as one who is rather disillusioned of many illusions which perhaps I possessed when I was younger, I do not regard governments as such extraordinarily admirable methods of conducting business. Therefore, if it attains that reasonable success which I hope it will, you really will not want to hear very much about these controls and safeguards at all. But it is, as I say, on the great range of fresh authority and responsibility thrown upon Burma and its Government that I should like rather to dwell.

Now one word about minorities. This question, of course, has been one of the subjects of the hottest controversy that we have had during the Conference, and we have been told by gentlemen on my left that the people of Burma are very strongly opposed to the separate representation of minorities. I think they will also say from their point of view that as minorities have now got separate representation it would be very difficult for the Government and Parliament of this country, in setting up a new constitution with greatly extended powers, to take away from those minorities rights that they have already, provided the minorities themselves lay great stress upon the exercise and enjoyment of those rights. We have been told that without these separate electorates they would get representation in the Legislature. I do not quite know how far that

would be so. I think that rather depends upon the electors even more than upon representatives like these gentlemen who are present ; but I confess I do lay stress upon that. I am not at all talking now of the question of numbers, but surely it is an intense satisfaction to a minority and an immense advantage if it is able, through its own representatives representing its own interests on the floor of the House itself, to express its own views and if necessary to make its own complaints. I am really not so much arguing this question from the point of view of the minorities themselves as from the point of view of the general good government of Burma, because I cannot conceive anything more unsatisfactory than for a new constitution to be started if you have a number of minorities dissatisfied and suspicious. If you have all the communities working together in harmony, and if you satisfy the minorities—which, after all, is an easy thing for a majority to do, because a majority is a majority, and as Miss May Oung says with a gesture of magnificent self-abnegation, women do not ask for separate representation as a minority ; of course, they do not, because they are a majority themselves and, therefore, they have almost the whole matter in their hands—I feel that the majority itself would be wise, possibly, to err rather on the side of generosity on that matter than on the other.

The other two points are more of a personal nature. I do not want to indulge in any more controversy. I am, as Chairman, most deeply grateful for the extraordinarily kind expressions of view that have been given about myself. I have, on my part, to thank the Delegates, and I can thank them all without any distinction whatever of party or race or religion, for having all treated me with the greatest possible kindness and consideration throughout our discussions and debates. May I say that it has been a very great pleasure to me to meet these representatives, both officially and personally, and it does recall to me the few extremely pleasant weeks—I wish they had been longer—which I spent in Burma only two years ago. I am bound to say that on that occasion I formed the opinion rather strongly that the Burmese people wished to be separated from India, but now it appears that opinion has gone round. I am always ready to change my opinion when I realise that I am wrong, and now it appears that I am wrong. If I went back to Burma now I might possibly form a different impression. Anyhow, I realise what an agreeable time I spent there, and I too, like my friend Lord Mersey, have learned a great deal by pleasant association with their representatives.

On the last point I only wish to say this, and I am sure that on this we shall all agree. We have been sitting rather continuously ; the work has been arduous, because we were anxious to get through the work as quickly as we could—subject to this, that all expressions of opinion on all these subjects had a very full and a very fair hearing—and that necessarily must have thrown a great deal of work on our admirable staff.

I am quite certain that without any distinction whatever, we shall all be ready to express our thanks and gratitude for the most able and kindly assistance we have had from that staff, who have displayed patience and have done hard work that I think is purely admirable.

Now it is with regret that I part with you, because this is the last time I shall have an opportunity of saying anything to you. On Tuesday morning, when the Prime Minister delivers his address, I shall perforce be silent, and after that we shall part and go our several ways. I wish you great success and offer you my good wishes for the future prosperity of Burma and, also, for your personal prosperity.

(*The Conference adjourned at 3.36 p.m. until 11.30 a.m. on Tuesday,  
12th January, 1932.*)

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## Final Session, 12th January, 1932.

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### **A MESSAGE FROM HIS MAJESTY THE KING.**

*The Prime Minister :* I have to communicate to the Conference a message from His Majesty the King, signed by his own hand :—

“ The Queen and I cordially thank you for your loyal message, which has given us much pleasure.

Having followed with close interest the proceedings of your Conference, I realise how varied and complex are the problems calling for solution if the ties between the Governments of Burma and India are to be loosened.

I earnestly trust that the issue of your deliberations will further the prosperity and contentment of your country ; and, at the conclusion of this stage of your labours, I send you my best wishes for a safe return to your homes.”

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### **SPEECH BY THE PRIME MINISTER.**

In closing this Conference my first very pleasant duty is to congratulate you upon the work that you have done. I should like to remind you of the origin of the Conference itself. In the first place, those of you who were here last year, or the year before, at the Indian Round Table Conference will remember that the Burma sub-Committee asked that His Majesty's Government should make a public announcement that the principle of separation is accepted and that the prospect of constitutional advance towards responsible government held out to Burma as part of British India will not be prejudiced by the separation.

During the discussion of the sub-Committee's Report in the Committee of the Whole Conference, the view was very strongly urged in certain quarters, in the light of messages from various organisations in Burma which were not prepared to subscribe to this request, that no action should be taken to effect separation till it was made clear that this was the desire of the people of Burma. On the 19th January last I said that the findings of the sub-Committee had been noted and that Government would pursue the decisions of that sub-Committee and make the necessary enquiries as to the conditions upon which separation was to take place.

On the next day the Secretary of State for India repeated in substance these remarks ; and he added :—

“ They wish it to be understood that the prospects of constitutional advance held out to Burma as part of British India will not be prejudiced by this decision, and that the constitutional objective after separation will remain the progressive realisation of responsible Government in Burma as an integral part of the Empire. In pursuance of this decision they intend to take such steps towards the framing, in consultation with public opinion in Burma, of a new Constitution, as may be found most convenient and expeditious, their object being that the new Constitutions for India and Burma shall come into force as near as may be simultaneously.”

Those are the words of the Secretary of State for India.

On the 21st August last, His Majesty’s Government announced their intention to convene this Conference, and I quote the words :—

“ for the purpose of seeking the greatest possible measure of agreement regarding the future Constitution of Burma and the relations of Burma with India.”

The announcement went on :—

“ The primary task of the Burma Conference will be to discuss the lines of a Constitution for a separated Burma. When the results of these deliberations are known there will be an opportunity for a review of the whole position by all parties concerned before any final adoption and proposal to Parliament by His Majesty’s Government of measures to implement their provisional decisions in favour of separating Burma from India.”

That was the position when this Conference met and you began your deliberations.

May I say on behalf of His Majesty’s Government, before I go any further, that they were informed with the greatest satisfaction of the kindly, the generous, and the appreciative way in which you referred, in the course of this Conference, to the work of the officials who represent the Government administratively in Burma. I can assure you that whatever you may say or feel, those officials one and all, in everything they have done in Burma, have been inspired mainly by the desire to help Burma to reach the stage which it has reached today. The whole genius of British administration is to lead up the peoples who come under its rule to a position when they can assume responsibility for their own government ; and it is with the greatest pride that my colleagues and myself face you this morning and bring this, the first stage of your deliberations, to a conclusion.

I dare say that some of you are a little disappointed. As a matter of fact, you have no reason for being that at all. Negotiations are

always slow, especially constitutional negotiations and the reason why negotiations are slow and propaganda and agitation are swift is that when you sit down, as you have sat down for the last few weeks under the chairmanship of an able and experienced man like Lord Peel, every one of your ideas, every one of your general aspirations, every one of the expressions that you use, so comprehensive, so attractive in their wholeness, has to be analysed.

You have to look at possible difficulties ; you can no longer merely talk to large crowds from which you get a magnificent inspiration for your words ; you have to sit down and amongst yourselves, and between yourselves, hammer out in the essential details the specific features of your constitution, and then you find that there are difficulties that you had not anticipated ; that there are things to be overcome that were not apparent in the pure agitation stage of the movement. So the days go into weeks and the weeks go into months and you think you are losing your time whereas, as a matter of fact, you are building up the constitution in the only way that workmen can do a piece of work like that, steadily, not in a great rush, but taking great care that every layer of stone that is laid is laid truly and well and with full consideration of what the foundation is upon which they had been laid, and also what the nature of the further layers that must come above them is to be. That is why I think there is so much impatience sometimes when either a conference or a government takes some days, some weeks, some months, to be careful that when statements are made and announcements are given forth they have been thought out and the conference and the government are prepared to stand by what is said by it.

There is another thing. By the method of evolution, as I have said, things must appear very often to go very slowly. By the method of revolution—I do not mean when I use that word merely great upheavals of force, but movements ill-considered, or unconsidered movements, rushing instead of walking—by the method of revolution things seem to go quickly. They do not. We have, for instance, in India today a very interesting example of the political situation which arises when progress by conference, by goodwill, by co-operation, is challenged by progress which is neither one nor the other. I can assure you that the Government when progress by the methods that were adopted at the Round Table Conference has been challenged by less swift, by less politic, and by less just and desirable methods, can never abrogate its duty to govern. So that you see in the end it is by the method of building up that the best and the most permanent results are achieved.

My Burmese friends, I congratulate you. That being my doctrine, and that being the doctrine I think of most well-founded governments, I congratulate you in the result of your labours as embodied in the Report which Lord Peel has been able to sign and present in your name.

There is one other thing. I see that our old Western friend, the problem of the franchise, has been disturbing you. You could not avoid it. It was absolutely impossible for you to shut your eyes to that, because Burma would not be ripe for any form of self-government—for even the most rudimentary form of self-government—unless you were all agitated about the basis upon which representative authority is going to rest.

If I might venture to suggest one idea to you in that connection it would be this. You are sitting here to-day in a royal palace. The rooms that you have been walking through, the rooms where your Conference has taken place, have not always been inhabited by people like you or like us. If you were to study the history of this building you would find that it embodies a history of the progress of civil liberty, and you would discover that in spite of the power of the individual who led from time to time the movement of civil liberty, he was circumscribed by his political circumstances. He could not go further than his past history enabled him to go. Consequently this great fabric of British liberty, which is the pride of everyone who dwells within its shadow and the admiration of everyone who beholds it as an onlooker, has been built up not by putting its roof on first, but by laying its foundations truly and securely. From stage to stage it has gone. I do not suggest for a moment that Burma is going to go on for generations and for centuries exploring and walking in our way. No, the contribution which we have made by this steady evolution of liberty has enabled the nations of the world ever since to get to the same ends by short cuts. That is one of the greatest contributions that our people, our name, our community, have made to human history.

But, nevertheless, my Burmese friends, it does not matter, when a people is laying the foundations of its constitution, whether it is to-day, or next century, or the century after, I do not believe that there will ever be a case written in history of people at one bound, at one leap, attaining the termination of its desires and its conceptions of what it ought to be and where it ought to be.

So that in franchise and all the other things take as much as is necessary to give your Constitution a start. Take as much as is necessary. Now I leave the idea of a building, because that is static, and as a matter of fact progress is not done by static methods, but by dynamic methods. Take as much and begin with as much as will enable you to go on, and that is all that wise men would ask at the opening stages of any new Constitution. When you go back to Burma do not allow your critics to say : "What have you got?"—because that will put you in a false position. You are not only getting to-day; you are getting to-morrow as well; and what you have got is not merely the Constitution as may be laid down in an Act of Parliament very shortly; but with that you have got the potentialities of that Constitution, and the potentialities, the chances

of advance, of broadening, of widening, of extending are with you—where they are not to-day, but they will be with you when that is done, and not only with us.

Therefore, I would strongly urge you to take that point of view when in your own hearts, and with yourselves and amongst yourselves, you say : "What have we got ? "

But above all, when you go home and meet your critics, do remember that a Constitution is not merely an instrument ; it is a potentiality ; and that potentiality will belong to you when you get the Constitution which is now contemplated.

I do not know that I need take up your time in saying anything more. The last point I have made is a point that I really want to emphasise, because it is in essence the spirit and the nature of political progress.

I shall now read the declaration which I am authorised to make by my colleagues of His Majesty's Government :—

His Majesty's Government are prepared, if and when they are satisfied that the desire of the people of Burma is that the government of their country should be separated from that of India, to take steps, subject to the approval of Parliament, to entrust responsibility for the government of Burma to a Legislature representative of the people of Burma and a Ministry responsible to it, with the conditions and qualifications which I am about to specify. This responsibility would extend not only to Provincial subjects—reserved as well as transferred—but also to subjects which have hitherto been the responsibility of the Government of India.

His Majesty's Government consider that the Legislature should consist of two Houses. The Upper House should be composed partly of elected members and partly of members nominated by the Governor. In size it should be about one-third of the Lower House.

The Lower House should be composed of members directly elected, and provision should be made to ensure adequate representation of minority communities and special interests, e.g. commerce (European, Chinese and Indian as well as Burman). I will refer to this point again later.

His Majesty's Government consider that at the outset a Lower House of 120 to 130 will constitute as large a Legislature as is at present practicable and compatible with efficiency. The two Houses will contain almost double the number of elected members in the present Legislature.

The powers of the two Houses should be equal in respect of all Legislative measures, including Money Bills, but Supply should vest in the Lower House. Provision should be made for the resolution of differences of opinion between the two Houses by means of joint sessions.

The Ministry should consist of about six, but not more than eight, Ministers, who should be appointed by the Governor, should hold office during his pleasure, and should be collectively responsible to the Legislature. In appointing Ministers the Governor should normally seek the advice of the leader of the party commanding the largest following in the Lower House. The Governor should have the right to preside over meetings of the Ministry.

—May I pause there and say that that looks perhaps a formidable power to the Governor. As a matter of fact, it is precisely the constitutional position that I hold with my colleagues in relation to His Majesty the King in this country at the present moment—

In existing conditions certain of the subjects hitherto classed as Central and excluded from the purview of any Provincial Legislature should be reserved for the personal administration of the Governor. Apart from matters such as the bestowal of titles and the regulation of ceremonial and ecclesiastical administration—to which special considerations apply—the Governor should administer in responsibility to Parliament the subject of Defence and External Affairs.

The administration of the Federated Shan States and of the other areas now described as " Backward Tracts ", but in future proposed to be known as " Excluded Areas " should be vested in the Governor. The relations between the Shan States Federation and the rest of Burma will require consideration.

It is clear that the Governor should not be dependent upon the Legislature for the supply required for the administration of reserved subjects, and that he should be empowered to take such steps in the last resort as may be necessary to ensure that the necessary funds (including emergency supply) are forthcoming. He should also be given power to secure the enactment of such legislative measures as may be essential for the discharge of his responsibility for these subjects.

In the view of His Majesty's Government it is not practicable to divide in any manner the responsibility for any reserved subject between the Legislature and Parliament. Nevertheless, they recognise that these subjects must be matter of increasing concern to the Legislature ; and they consider that opportunity should be provided at the Governor's discretion for the Legislature to be informed of and to discuss them.

As regards finance, the separation of Burma from India would involve the discharge of functions of which the Provincial Government and the Legislature have necessarily had no opportunity to acquire experience. It is no exaggeration to say that the success of the new Constitution no less than the general prosperity of the country will depend on Burma's ability to build up her credit in the money markets of the world, and it is, therefore, essential in the interests of Burma that confidence should be

established from the start in the soundness of her financial policy and in the management of credit and currency questions.

In these circumstances His Majesty's Government are of opinion that of the wide field covered by the term Finance, that portion which comprises the direction of monetary policy, including exchange currency and coinage, should be reserved to the administration of the Governor.

His Majesty's Government consider that the Statute should contain provisions to ensure that the Governor should be enabled to intervene to prevent the adoption of measures which would, in his opinion, seriously prejudice the financial stability and the credit of Burma, and that it should be laid down in the Statute that the requisite funds for the regular payment of Burma's public debt obligations and the service of future loans (including adequate provision for redemption) should not be dependent on the vote of the Legislature. The building up of credit depends mainly on the due fulfilment of obligations and the pursuit of sound budgetary policy.

It would also be necessary to provide that, like the supply required for the reserved departments, the salaries and pensions (including Family Pensions and Provident Funds) of officers appointed under guarantees given by the Secretary of State should not be dependent on the vote of the Legislature.

Subject to the foregoing limitations and provisions, the administration of financial questions, including the power of taxation and raising revenue, fiscal policy and expenditure on objects outside the sphere of the Governor's personal responsibility, would be entrusted to the Ministry responsible to the Legislature.

In view of the wider range of finance which would devolve on the Government of Burma as the result of separation, His Majesty's Government are of opinion that the Statute should provide for the appointment by the Secretary of State of a Financial Adviser to the Government. In respect of matters reserved to the personal administration of the Governor, the Financial Adviser would be the Governor's Adviser. Outside this field, all proposals having an important financial significance should be referred to him, and provision should be made to ensure that any objections that he may have to measures proposed should be made known to the Ministry and the Governor.

His Majesty's Government think that it would be advantageous that the administration of the Railways of Burma, as distinct from the control of policy, should be vested in a Statutory Board ; and they will examine the matter further.

The efficiency of the public service is essential to the success of responsible Government ; and His Majesty's Government are anxious to secure in Burma's interests that there is no diminution of the efficiency of the administrative machine. They consider that

provision should be made in the Statute for the establishment of a Public Services Commission exercising like functions to those discharged by such Commissions in India.

The Statute must also contain provision for the protection of all rights guaranteed to persons recruited by the Crown or the Secretary of State before the establishment of the new Constitution, and to such persons as may be recruited by the Crown or the Secretary of State under the new Constitution for service in Burma. The Governor must have full control over officials serving in the field directly administered by him ; he should further have a special responsibility and the necessary powers to enable him to protect the rights and interests of officers recruited by the Crown or the Secretary of State and serving in the field administered by Ministers.

With regard to subjects in the administration of which the Governor ordinarily would act on the advice of Ministers, His Majesty's Government consider that arrangements must be made whereby in the last resort the peace and tranquillity of any part of Burma may be secured, serious prejudice to the interests of any section of the population may be avoided and Imperial interests protected. For these purposes the Governor must be empowered to act in responsibility to Parliament and to implement his decisions, if necessary, by legislative enactment, administrative action, or appropriation of revenue.

Adequate powers must be vested in the Governor for the purpose of enabling the King's Government to be carried on in the event of a breakdown of the Constitution.

His Majesty's Government regret that the Conference has not been able to reach agreement on the question of the representation of minority communities and special interests in the Legislature. They hope that agreement may still be achieved, for settlement by consent must be far more satisfactory than a decision imposed by any outside authority. Failing agreement, His Majesty's Government would find it very difficult to enforce any scheme which did not recognise the claims of minorities and special interests to representation by separate electorates.

Apart from this question of representation, the Constitution must contain provisions dealing with the difficult question of commercial discrimination. The precise arrangements to be made will require careful examination, but it is clear that the main principle to be followed must be that of equal rights and opportunities for any British subject ordinarily resident or carrying on trade or business (whether through the medium of branches or agencies or otherwise) in Burma ; and the Governor should have power to secure that this principle is observed both in Legislation and Administration.

The Governor would necessarily continue to have discretion, on behalf of the Crown, to refuse his assent to legislative measures and to return Bills for reconsideration and, subject to any instructions issued to him, the existing powers of reservation and disallowance would remain.

To sum up, His Majesty's Government's intention is that in the event of Burma electing to pursue her political development apart from India, responsibility should be devolved upon her Legislature for the administration not only of the subjects which will fall within the range of Provincial Governments in India, but also of subjects which will be administered in India by the Central Authority. But in order that the stability of the realm may be maintained and financial stability secured, the Governor must have the powers already set forth. It will be the endeavour of His Majesty's Government to ensure that these powers shall not be allowed to prejudice the advance of Burma to full self-government.

The Governor would obviously consider his relations with his Ministers and the Legislature before making use of these powers ; he would stay his hand as long as possible and be slow to use his own powers in such a way as to enable his Ministers to cast upon him a responsibility which properly is theirs. If Ministers are to develop responsible government they on their side must refrain from sheltering behind the Governor's special powers, and leaving to him the odium of an unpopular decision for which they, if they are to discharge their responsibilities, ought to be answerable. These powers are intended to lie in reserve and to be kept in the background. Given goodwill in working the new Constitution the occasions on which they would be called into effect should be rare.

It is on these general lines that His Majesty's Government will be prepared to frame, for the approval of Parliament, a Constitution for a Burma separated from India. But the first step is to ascertain whether the people of Burma endorse the provisional decision that separation should take place. To enable them to take a decision on this matter, they should be aware, not only of the general nature of the Constitution proposed, but also of the financial consequences of separation.

The experts' report on the financial problem has already been published. His Majesty's Government, will take steps, in co-operation with the Government of India and the Government of Burma to press on the consideration of the question to a decision.

With this material before them the people of Burma will be in a position to decide whether or not they are in favour of separation from India. His Majesty's Government consider that the decision might best be taken after a general election at which the broad issue had been placed before the electorate. The life of the present Legislative Council has been extended for a year, but an election must be held before the end of the year.

That decision will determine whether on the one hand, Burma should be independent of India with a Constitution on the lines set forth above or, on the other hand, should remain a Province of India with the prospects indicated in the proceedings of the two Sessions of the Indian Round Table Conference—and in this connection it should be remembered that if an Indian Federation is established it cannot be on the basis that members can leave it as and when they choose.

It was made plain in the course of the first Session of the Indian Conference that if it is shown that the desire of the people of Burma is that their Government should be separated from that of India, India will not oppose their choice. But there are many matters of joint concern in the disposal of which regard must be had to the views of both parties. The Consultative Committee of the Indian Conference which is to be set up may afford a channel through which Indian opinion could be expressed on such questions.

As was observed by the Burma sub-Committee of the first Indian Conference, it is important that separation should cause a minimum disturbance of the close trade relations between Burma and India, and arrangements will have to be made in regard to these relations before separation takes place.

Another matter which requires close consideration before His Majesty's Government can announce any final opinion on it is that of the franchise, including the electoral arrangements to be established in Burma under the new Constitution. Adult suffrage at the age of 21 has been advocated by some for both sexes in view of the status enjoyed by women in Burma; others consider that the present basis of franchise, wider as it is than in India generally, is sufficiently wide for some years to come. His Majesty's Government are not satisfied that the practical administrative difficulties involved by any considerable extension of the franchise could in present conditions be overcome. The method of election for the elected portion of the Upper House, the arrangements to be made to increase the number of constituencies for the Lower House, and the ratio of women to men voters are all matters which require careful weighing before provision to deal with them can be included in a Constitution Bill. There is much to be done before a Constitution can be finally framed, and His Majesty's Government will lose no time in setting in hand the necessary work.

His Majesty's Government have thought it right and useful to set out as above in considerable detail the plans which they have in mind. It is, of course, possible that on further consideration and in working out and drafting the new Constitution, modifications in details of what has been indicated may prove necessary; but His Majesty's Government believe that the statement I have read presents a clear picture of the general constitutional scheme.

If this Conference had achieved nothing else it would yet have served a great purpose in establishing direct and personal contact between representatives of the British Parliament and leaders of public opinion in Burma.

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Before I resume my seat, having finished the reading of the Government statement, may I just make this comment? It is unfortunately necessary that a statement such as this should bring up, somewhat out of proportion so far as the statement is concerned, the reserved powers. The narration of these powers presents a very formidable appearance.

But do remember the powers that remain, without any reference being made to them, except of the most general character in this statement. For instance, I should just like to remind you, so that even now, and before you have had time to study exactly what the statement means, you may be in a position to see its proportions a little clearly. Do remember that, in addition to the important provincial matters with which responsible Ministers in Burma would deal, including in future, as in an autonomous Indian Province, Law and Order in all their aspects, Land Revenue administration, there will be the wide field covered by what are known as Central Subjects, including such vastly important subjects as Civil and Criminal Law, Posts and Telegraphs in Burma, Communications, Customs and Income-tax, Commerce, including Banking and Insurance—to mention only a few. Altogether the schedule in the Government of India Act includes over 40 Central Subjects, of which, to begin with, only half a dozen are proposed to be excluded from the purview of the Legislature and the Ministry responsible to it.

You may be assured of another thing. His Majesty's Government does not mean to let grass grow under its feet in completing these pledges and translating them into an Act of Parliament, so soon as we know from you that you are in a position to go on with them. Legislation is not going to be delayed, so soon as you inform us that you are ready for us to proceed with it.

And now I can only hope that this has been the beginning of a very great and a very marked step in the progress of self-government in Burma, in the British Empire, and in the whole world; that you will go away having made up your minds that this, or something of this nature, shall be commended by you to the people of Burma, and that the people of Burma will accept your recommendation; and that the result will be for the well-being, the progress and the advancement of the nation to which you belong. We bid you farewell with great gratitude in our hearts that you have come here, and we hope that you will carry away the same pleasant memories of us as will abide here of you.

*U Ba Pe* : Mr. Prime Minister, I have with great respect and with great attention listened to the statement made on behalf of His Majesty's Government. I am afraid it is not possible for me, or for any of us on this side, to express an opinion without carefully studying the whole statement, and for that purpose it will take time. But I may be permitted to make one observation. It will be of no use to force a constitution on the country, unless it is acceptable to the majority of the people. I am aware that the British Government has kept an open mind to receive our final view. I do not, therefore, desire to make any further observation on this point.

I am glad we have had the opportunity of coming over to this country, meeting British statesmen face to face, and able to express our views across the table. This I take to be of immense value because, in the first place, we begin to understand the attitude and view of the British statesmen, and we hope we have been able to make our viewpoint, also, clear to you all. The future of Burma and her relations with India and this country depend not only on the people of Burma but also on the people of this country. Unless there is a spirit of trust and goodwill I am afraid we cannot do any good work. For long we have been told that Burma is not fit for this or for that ; but if we think a little more it will be found that no country in the world is not fit for this or for that, but every country in the world is fit from its own point of view.

The history of Burma will show that Burma, until she came into contact with the British, held a very prominent position in the East, and I cannot understand why it should be said that a country which was independent just 46 years ago is not fit to enjoy larger freedom under the British rule.

I make this observation simply to show that whatever constitution you are going to make for Burma it should, in the first place, reflect the feeling of the people of the country there. The mere reflection of the ideas of the people here alone will not suit the East.

I would, therefore, ask that when you receive our final views from Burma you will look through our requests, not from the British point of view, but from the Burmese point of view, because only in that way will a solution of the Burmese problems be possible.

In conclusion, Mr. Prime Minister, I again thank the British Government for the opportunity afforded to us to be here to express our views, purely from the Burmese national point of view, and I hope that national point of view will bear fruit in due course.

*Sir O. de Glanville* : Mr. Prime Minister, we are very grateful to His Majesty the King-Emperor for the gracious message that he has sent to us to-day. We are grateful to you, Mr. Prime Minister, for the impressive and encouraging address that you have made to-day, and I believe, Sir, that the words that you have uttered will go a long way in Burma to establish that trust which is so necessary and which is so ardently desired by *U Ba Pe*. Like him,

I will not now express my views on the outline of the Constitution that has been indicated, but I believe that a Constitution such as you, Sir, have outlined will be regarded in Burma as a very very great advance and that everyone will realise that we have, with the able assistance of Lord Peel and the British Delegation, accomplished much on this visit to London.

I would like to thank all those who have treated us with hospitality, all those who have encouraged us and aided us in our deliberations. We owe a debt of gratitude not only to Lord Peel, but to the British Delegation, to friends outside the Conference who have helped us, and to the magnificent staff provided for carrying on the clerical work of the Conference who have always cheerfully helped us.

We are saying farewell to-day. There is always a note of regret when we say good-bye, but in this case we feel that we have made many good friends during our stay in London, and we believe that the English people have come now to understand us a little more, to realise that sincerity is common to us all. When we part, Sir, we will go cheered by the knowledge that we leave true friends behind us who will watch our progress with sympathy and understanding.

*Lord Peel* : It has been moved and seconded that a vote of thanks be accorded to the Prime Minister for his attendance here and for the speech that he has delivered to us. Those in favour ? Those against ? That, Sir, is carried unanimously.

*The Prime Minister* : I detected a note of special pleasure in the way that Lord Peel pronounced the word "unanimously". If it has given Lord Peel great pleasure to see that unanimous vote being passed in relation to his past experiences, I can assure you that it has given me also very great pleasure to have that vote of thanks from you.

I repeat that I do hope that you are all going home with the very best recollections of your stay in London and with memories of most admirable personal relations between yourselves and Lord Peel and the British Delegation, as also with that very admirable body of officials—that very, very admirable body of secretaries, advisers and helpers of all kinds.

I am sorry to say good-bye, but I am afraid the time has come for it.

I now declare the Conference at an end.

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